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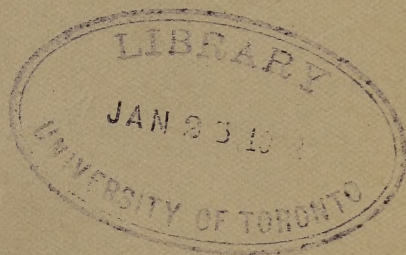
A HISTORY OF EDUCATIONAL LEGISLATION  
IN MISSISSIPPI FROM 1798 TO 1860

A DISSERTATION  
SUBMITTED TO THE FACULTY  
OF THE GRADUATE SCHOOL OF ARTS AND LITERATURE  
IN CANDIDACY FOR THE DEGREE OF  
DOCTOR OF PHILOSOPHY  
DEPARTMENT OF EDUCATION

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BY  
WILLIAM HENINGTON WEATHERSBY

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## PREFACE

In histories of education in the United States the southwest for the most part has been ignored. The historian sometimes has ascertained a few facts as to the educational history of Virginia and the Carolinas and has generalized from these for his statements as to the history of education in the southern states. The question may well be raised whether the educational history of Virginia and North Carolina applies to the states of Alabama, Mississippi, Arkansas, and Louisiana with any greater degree of accuracy than the stories of the historical development of New England and New York apply to the states of Ohio, Illinois, and Indiana. In the hope that he might supply some definite data toward the answer of this question, the author has undertaken this study of educational legislation in Mississippi prior to the Civil War.

The writer wishes to acknowledge his obligations to Dr. M. W. Jernegan for his critical reading of the manuscript and helpful suggestions, to Mr. F.W. Schenk, of the law library of the University of Chicago, to Dr. Dunbar Rowland, director of the Department of Archives and History of Mississippi, to Mrs. W. F. Marshall, state librarian of Mississippi, and her assistant, Mrs. H. F. Broyles, for facilitating access to source material.





## INTRODUCTION

This volume is the third of the monographs on the history of educational legislation of various states. The plan and purpose of these studies are set forth in the general introductions to be found in the first and second volumes of this series, entitled respectively, "Educational Legislation and Administration in the State of New York from 1777 to 1850" and "The History of Educational Legislation in Ohio from 1803 to 1850." A comparison of the educational legislation of the three states in question well illustrates the wide variation in the origin and development of our state educational systems, and helps in understanding the problems involved in the development of a national system of education.

The history of the educational legislation of Mississippi is of peculiar interest for several reasons. Being one of the states of the New South, this legislation was influenced by two important factors, absent in the states of the Old South: first, the original settlers came principally from the back-country regions of the South Atlantic states, and secondly, they entered an environment which approached that of the New West, the region west of the Alleghanies. Both of these factors led to the development of a democratic, decentralized school system, designed to meet the special needs or demands of individual counties and even smaller units. As a result, we may observe the consequences of local self-government in education at the expense of an efficient centralized state system, based on general laws operative over the entire state.

Dr. Weathersby has set forth, for the first time, the entire legislation of Mississippi from 1798 to 1860, and discussed the larger factors which account for this legislation. He has given a clear account of the relation of the national and state governments to elementary, secondary, and higher education. We call special attention to chapters iv, v, and xi. In the first we have a previously unwritten chapter on the method of handling the famous sixteenth section of land, granted by the national government for the support of public education. This may be compared with the methods adopted by Ohio. In chapter v, dealing with the numerous county systems set up between 1846 and 1860, there is opportunity to study interesting examples of experimentation in the administration and support of public schools. In chapter xi we may study the

efforts of a southern and western state to develop the principle of state support, or aid, to education. Dr. Weathersby has also provided in Appendixes A and B invaluable material for studies involving a history of comparative educational legislation of the various states.

MARCUS W. JERNEGAN

UNIVERSITY OF CHICAGO

April 15, 1920



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## CHAPTER I

### INFLUENCES AFFECTING EDUCATIONAL LEGISLATION IN MISSISSIPPI

The colonial history of Mississippi left very little impress upon the later life of the territory and state. For all practical purposes history began in Mississippi only a few years before the representatives of the thirteen eastern colonies were signing the Declaration of Independence.

The country was explored by Hernando De Soto as early as 1540, and the Spanish adventurers spent about a year within the present borders of the state.<sup>1</sup> The French in 1699 planted the first colony on the Bay of Biloxi, and about twenty years later settled three hundred colonists at Fort Rosalie, now Natchez, on the Mississippi River. But the latter settlement was surprised and massacred by the Natchez Indians in 1729, and thereafter Fort Rosalie, under the French, was merely a military post.<sup>2</sup> The French settlements on the gulf shore of Mississippi were little more than trade stations with scanty populations and never extended more than a few miles from the sea.

When Mississippi in 1763 became a part of the British province of West Florida, many of the French settlers removed to Louisiana. In the Natchez district, which was later to become the nucleus of Mississippi Territory, there was probably not a white settler. The first permanent settlement was made in this section in 1770, when eighteen families of immigrants located in and around the site of the present city of Natchez.<sup>3</sup> These were the first of a stream of immigrants who began to pour in from the older colonies to the new British possession. Many of them were loyalists, who sought to escape the embarrassment that was likely to ensue from the brewing trouble between the older thirteen colonies and the mother country. In 1772 three hundred persons from Virginia and the Carolinas were settled along the Mississippi, and three or four hundred families were expected before the end of the summer.<sup>4</sup> These expectations probably were not fully realized, but several settlements were made at various points along the river front. By 1777,

<sup>1</sup> Riley, *School History of Mississippi*, p. 23.

<sup>2</sup> Hamilton, "British West Florida," *Publication of the Mississippi Historical Society*, VII, 399-426.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*, p. 419.

however, Natchez contained only ten log cabins and two frame houses, and we are told that the surrounding settlements numbered not more than seventy-eight families.<sup>1</sup>

All of the settlers in the Natchez district during the seventies were of English, Scotch, or Irish extraction, and practically all were from the colonies along the Atlantic. They brought with them British customs and institutions, more or less modified by their residence in the eastern colonies. By this time nothing recalled the previous French and Spanish explorations and attempts at colonization except an occasional name.<sup>2</sup> The settlers instituted their own local government, for they were too far from Pensacola, the seat of British colonial authority, to keep in close touch with that government. Apparently the Pensacola authorities gave little attention to these western settlements, but we are informed that the people were well capable of handling their own affairs and that good order prevailed.<sup>3</sup>

When the Spanish conquered British West Florida in 1779 and 1780, the people of the Natchez district submitted to the conquerors, but were still loyal to Britain. In 1781 they revolted, captured the Spanish garrison, raised the British flag, and awaited the expected assistance from the mother country. The revolt was quickly put down, and many of the settlers, fearing punishment from the Spaniards, fled from the country to the struggling thirteen states. The Spanish, however, accorded liberal treatment to those who remained, and especially favored the Irish settlers, who were Catholics.<sup>4</sup>

Very little Spanish immigration drifted into the Natchez district during the Spanish régime, and most that came seemed to be congregated in that portion of Natchez called "Spanish town."<sup>5</sup> The total population of the district, according to a census taken by the Spanish in 1780, was only 2,679.<sup>6</sup> Toward the close of the Spanish period there was considerable immigration from Kentucky and Tennessee—American settlers, who came in anticipation of the surrender of the district to the United States. When, in 1798, the Spanish reluctantly gave way to American authority and the Mississippi Territory was organized, the total population could not have been much more than 5,000, including slaves. Two years later, when the first United States census was taken,

<sup>1</sup> Hamilton, *op. cit.*, p. 420.

<sup>2</sup> *Ibid.*, p. 423.

<sup>3</sup> *Ibid.*, p. 419.

<sup>4</sup> Monette, *History of the Mississippi Valley*, I, 468.

<sup>5</sup> Claiborne, *Mississippi as a Province, Territory, and State*, I, 527.

<sup>6</sup> Monette, *op. cit.*, p. 478.



there were in the Natchez district 4,446 whites, 2,995 slaves, and 159 free colored persons.<sup>1</sup>

Mississippi Territory as originally organized was a long narrow strip between the thirty-first parallel of latitude and the line drawn due east from the mouth of the Yazoo River, extending from the Mississippi River on the west to the Chattahoochee River on the east. It included the southern portion of the present states of Mississippi and Alabama, but excluded the coastal regions of both. The territory was divided into three counties—Adams, Pickering, and Washington—but only the first two had white settlements within the present state of Mississippi. Washington County, or the “Washington district” as it was frequently called, was for the most part in the possession of the Choctaw nation. The few white settlements were within the present limits of Alabama along the banks of the Tombigbee River.<sup>2</sup>

We have in a brief way traced the history of the Natchez country down to the beginning of the period we shall attempt to study. We have seen that the country was an uninhabited wilderness until within a few years of the organization of the territory, and that two years after the territorial government was set up the total population, including slaves, was only seven thousand. With these facts before us we need not be surprised that nothing had been accomplished toward public education before the Spanish surrendered the country. If there were any schools, they were private institutions or under the control of the Catholic church, and no records of them have been available. As influences affecting the educational legislation in Mississippi, the French and Spanish are negligible.

It shall be our purpose in the succeeding paragraphs to discover some of the positive factors that have affected the educational history of Mississippi and that may help us to understand the facts revealed in the succeeding chapters.

Perhaps the most serious obstacle that confronted the people of Mississippi throughout the entire period that we shall study was the sparseness of population. When Governor Claiborne in 1802 made his recommendation for a “system of public education” and a “seminary of learning,” he was addressing the representatives of a citizenship that in numbers would not make now a respectable rural county. By 1810 the population of the western half of the territory (the portion that was

<sup>1</sup> Rowland, *The Official and Statistical Register of the State of Mississippi*, 1917, pp. 719-21.

<sup>2</sup> See map of Mississippi Territory in 1802 on p. 18.

to become the state of Mississippi in 1817) had increased to 31,306, of whom nearly one-half were slaves. Ten years later the United States census showed a population of 75,448.

Notwithstanding the increase of nearly 150 per cent in the population between 1810 and 1820, the significant fact confronts us that there was no increase in the density of population. The increase is accounted for in small part by the Florida annexation of 1812, and more largely by immigration into new territory opened to settlers by treaties with the Indians. While the population of the territory increased nearly 150 per cent, Adams, the oldest and most densely settled county, showed an increase of only 20 per cent, and this small increase was wholly in slave population. There was an actual decrease of 250 in the white population of the county, and there was no decrease in the area of the county during the decade.<sup>1</sup>

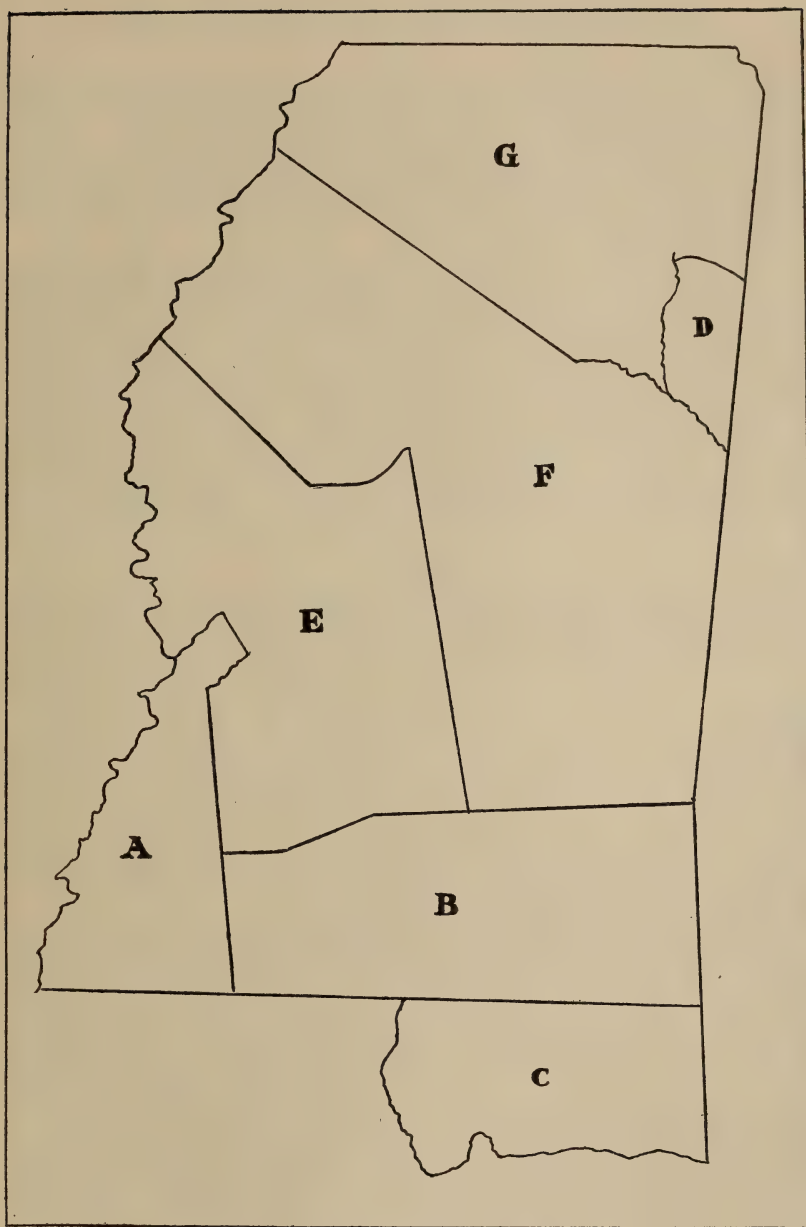
If we study the census figures for the next decade we find that the same thing took place. The white population increased from 42,176 to 70,443. During the decade the central portion of the state, which was ceded to the United States by the Choctaws in 1820, was opened to white settlers. Into the new counties made from this cession went 23,266 white people out of the total increase of 28,266, leaving a gain of only 4,945 for all the older counties of the state.

Again in the next decade we find the same phenomenon for the third time. The population of the state showed a rapid increase between 1830 and 1840, rising to 179,074 whites. But again the increase went into territory newly opened and did not bring about an increase in density of population. The Choctaws in 1830 ceded what was left of their country to the federal government, and in 1832 the Chickasaws, also, gave up their lands. The two nations were removed to Indian Territory, thus opening the entire state of Mississippi to white settlers. A great tide of immigration flowed into the state. Nineteen new counties were created out of the Choctaw purchase, and ten from the Chickasaw purchase. In 1840 the white population of these twenty-nine new counties was 94,625, representing all but 4,449 of the 109,000 increase during the ten years.

It is apparent that the growth in population in Mississippi from 1810 to 1840 is wholly explained by the occupation of new lands, and that

<sup>1</sup> The figures in this and the succeeding paragraphs are from "Statistics for Mississippi," prepared especially by the United States Census Bureau for the Mississippi Department of Archives and History, and are to be found in convenient form in *The Official and Statistical Register of the State of Mississippi*, 1917, pp. 719-24.





INDIAN CESSION MAP OF MISSISSIPPI

A—The Old Natchez District.  
B—First Choctaw Cession, 1805.  
C—Florida Annexation, 1812.

D—Chickasaw Cession of 1816.  
E—Second Choctaw Cession, 1820.  
F—Third Choctaw Cession, 1830.

G—Chickasaw Cession of 1832.

so far as white population is concerned, the state was as thinly settled in 1840 as it was in 1810.<sup>1</sup> The apparent increase in density of population in the older counties, when the aggregate census figures are taken, is due to the rapid increase in the number of slaves, which had no more bearing upon the educational situation than the increase in live stock or any other form of property.

The full meaning of the sparseness of white population in Mississippi is brought out when we consider the density of population to the square mile and compare the figures with those for other states. In 1840 there were in Mississippi only 3.82 white persons to the square mile. There was a considerable increase in density during the two decades immediately following, but in 1860 there were only 8.19 persons to the mile. A comparison of these figures with the density of population in other new states of the west is given in Table I. These figures make it

TABLE I

A COMPARISON OF DENSITY OF WHITE POPULATION IN CERTAIN WESTERN STATES

State	1840	1850	1860
Ohio.....	38.08	49.55	58.54
Indiana.....	20.07	29.24	39.94
Illinois.....	8.52	15.37	30.89
Mississippi.....	3.82	6.32	8.19

evident that Mississippi had to deal with a factor that most seriously hindered her educational development.

The study of the population of Mississippi brings to our attention one fact that to some extent lessened the retarding effect of the sparseness of the population. In so far as racial origin is concerned, the people of Mississippi were from early territorial days a homogeneous group. After the organization of Mississippi Territory the Spanish and other foreign elements, which were concentrated chiefly in Natchez, rapidly disappeared.<sup>2</sup> Perhaps the most noteworthy instance of transplanting old country ideals and customs into the new American territory is found in a small Scotch settlement in Wayne County. This community used the Gaelic language in their daily speech and in their

<sup>1</sup> The gradual extension of white settlements from the Natchez district over the entire area of the present state is indicated in the Indian Cession Map on p. 3, which is adapted from Riley's *School History of Mississippi*, p. 150.

<sup>2</sup> Claiborne, *op. cit.*, p. 530.



school from its foundation in 1812 to 1820.<sup>1</sup> These Scotch-Americans, however, in their manner of life and social ideals were not antagonistic to American principles. As the number of English-speaking people around them increased they abandoned their dialect, mingled with the other settlers, and became the founders of the sturdy families of the McRaes, McArthurs, McDougalds, McLaughlins, McDaniels, McDonalds, and McLaurins.

The advantage that homogeneity of population brought to Mississippi was perhaps entirely counteracted by the educational ideals and customs that they brought with them. There was a sprinkling of settlers from the North and East, but the great bulk of immigration came from the Carolinas, Virginia, Georgia, and Tennessee.<sup>2</sup> They had no acquaintance with public elementary schools, nor did they conceive public education to be a duty of the state. They were imbued with the ideals and customs of the Old South, and they brought these ideals and customs along with their families and slaves to the new Southwest. They did believe in education, but they conceived of that as a duty of the parent to his child. To be sure, if the parents were dead or too poor to educate the child, then, they thought, it was the duty of the state to stand *in loco parentis*.

The great obstacle to the development of a system of education found in the sparseness of the population was augmented by the manner of life and the occupations of the people. Except for the very early attempts to cultivate tobacco and indigo, the chief industry of Mississippi as a territory and as a state has been the production of cotton. It is not necessary to describe here in detail the cotton plantations with the one "big house" of the master, the group of cabins occupied by the slaves, the broad acres of cultivated land, encircled by virgin forests, which shut off the plantation from the outside world and made it a little state of its own. The difficulty of placing schools so that they could serve the big plantations scattered along the creeks and rivers is apparent without comment.

In the southeastern counties, which did not produce much cotton, the situation was even less favorable. The inhabitants of these counties during the territorial period and early years of statehood were engaged chiefly in raising cattle, which lived on the "cane brakes" and coarse grass along the creeks. With stock-raising they combined the pursuit

<sup>1</sup> Wilkins, "Early Times in Wayne County," *Publication of the Mississippi Historical Society*, VI, 265-72.

<sup>2</sup> *Census of the United States, The Eighth: 1860*, volume on "Population," p. 272.

of hunting.<sup>1</sup> These counties throughout the period covered by this study were even more thinly settled than the others, had less wealth, and, apparently, less interest in educational matters.

The differences in occupation and in wealth of different sections was another retarding factor in the educational situation of the state. The "piny woods" counties of the southeast were next to the Natchez district in the order of settlement, but, on account of poverty of soil, they lagged considerably behind the other counties of the state in wealth and population. Furthermore until about 1840 there was always a frontier in Mississippi—a new country to be opened up and settled. Naturally, there was a considerable difference between the wealth of the new section and that of the old, the greater wealth being concentrated more or less in the older section of the state. This difference in wealth is reflected rather clearly in the ownership of slaves, for the entire state was almost exclusively agricultural. For instance in 1830, ten years from the date of the second Choctaw cession, the counties formed from this territory had acquired a population of 23,266, but had only 12,000 slaves. During the same decade the older counties, while they increased less than 5,000 in white population, added to their wealth by increasing the number of their slaves from 32,814 to 53,665. A decade later we find twenty-nine new counties formed from the Indian cessions of 1830 and 1832 with a population of about 95,000 owning less than 59,000 slaves, while the older counties with a white population of 84,000 own 136,000 slaves.<sup>2</sup> That this difference of wealth persisted throughout our period is indicated by the figures in Table II. The table gives the white and slave population and the value of the manufactured products of three groups of counties in 1850. The first group is representative of the older cotton-producing counties; the second group of the new counties of northeast Mississippi; and the third group, of the "piny woods" or "white counties" of the southeastern part of the state.

There was a manifest tendency in these different sections of the state to assume different positions toward school matters. This tendency was due in part to the lack of easy means of communication between the different parts of the state. There were few highways in the state and few navigable rivers aside from the Mississippi. Before the coming of the railroads, travel was limited chiefly to the stage-coach and private horse-drawn vehicles. The early roads were little more than trails made by felling the forest trees to enable teams to pass through.

<sup>1</sup> Riley, *op. cit.*, p. 133.

<sup>2</sup> Rowland, *op. cit.*, 1917, pp. 719, 721.



In the preceding paragraphs the people of Mississippi have been pictured as typical southerners. In a sense they were, but there seems to have been one point of view or ideal which was acquired largely after they reached their new homes, and which seems to distinguish them from kinsmen and friends left behind in the Southern Atlantic states. This was the distinctly western idea of the supremacy of the

TABLE II\*

POPULATION, SLAVES, AND MANUFACTURES IN FIFTEEN COUNTIES IN 1850

Counties	Whites	Slaves	Value of Manufactured Products
<i>Old cotton counties:</i>			
Adams.....	3,948	14,395	\$ 207,850
Jefferson.....	2,634	10,493	46,910
Claiborne.....	3,449	11,450	66,919
Wilkinson.....	3,624	13,260	36,600
Warren.....	5,996	12,096	280,550
Total.....	19,651	61,694	\$638,829
<i>New counties of the northeast:</i>			
Tippah.....	15,807	4,928	\$ 85,497
Tishomingo.....	13,528	1,961	67,250
Pontotoc.....	12,136	4,968	61,205
Lafayette.....	8,346	5,378	125,365
Itawamba.....	11,395	2,127	34,090
Total.....	61,212	19,362	\$373,407
<i>"Piny woods" (southeastern Mississippi):</i>			
Covington.....	2,222	1,114	\$ 11,137
Jones.....	1,887	274	.....
Marion.....	2,215	2,195	5,500
Perry.....	1,679	749	.....
Greene.....	1,379	638	.....
Total.....	9,382	4,970	\$ 16,637

\* The figures were compiled for *The Official and Statistical Register of the State of Mississippi of 1917* by the United States Census Bureau. See pp. 719-22, 734-35.

local community in government. It was that idea of democracy that meant the reservation to local bodies of all power that could possibly be exercised by them. This ideal is everywhere evident in the legislation on school matters. It manifests itself in the vast amount of permissive legislation which left the final decision on educational questions to local communities. Township control of schools was preferred to county control. A great deal of the educational legislation is special legislation for individual townships, which evidently was initiated by

the people, and often a provision for a referendum vote is contained in the acts.

It is clear that the development of any general system of publicly supported common schools, if it should be accomplished in Mississippi, must overcome numerous serious obstacles. There were from early territorial times, however, two important factors in the situation that were favorable to the establishment of common schools. One of these factors was the presence in Mississippi at all times of public leaders who were strongly in favor of a publicly supported system of schools. Scarcely had the new territorial government been organized before these people were memorializing Congress in the interest of education. On February 2, 1798, John Henderson and other citizens signed the first memorial of this kind, praying for aid from the general government to establish and support a regular ministry of the gospel and schools for the education of the youth.<sup>1</sup> Most of the messages of the state and territorial governors from 1802 until the state was on the threshold of the Civil War contained recommendations for the improvement of the schools. Time and again these messages contained recommendations for a state tax for the support of common schools, and at least one governor made this question an issue in his successful campaign for his office.<sup>2</sup>

The other most influential factor favorable to the public schools was the decision of the federal government to extend its policy of granting public lands for the endowment of education to "the territory south of the state of Tennessee." The sixteenth section of each township was reserved for school purposes. By the time Mississippi had become a state many of these sections had attained a value that enabled the townships to build and partly support one or more common schools. In at least one township of the state a free school has been maintained constantly since 1821 chiefly by funds derived from its sixteenth section.<sup>3</sup> In most cases, however, the proceeds from school lands were not sufficient to maintain a school, but they encouraged the idea of township schools, partly, if not wholly, supported by public funds.

After 1840 there was a distinct improvement in the school situation in the state. By this time the whole state had been settled and the new counties were as thickly populated as the old counties, and some of them more so. There was no longer a frontier in the state. The

<sup>1</sup> Claiborne, *op. cit.*, I, 202.

Cluskey, *Speeches, Messages, and Other Writings of A. G. Brown*, p. 54.

<sup>3</sup> Riley, *op. cit.*, p. 174.

density of the white population, as has been shown, increased between 1840 and 1860 from 3.82 to 8.19 to the square mile. The building of railroads and improvement of navigable streams provided better means of communication and travel, and thus brought the different sections of the state into closer contact. Small towns and hamlets sprung up along the railroads and at county seats, each with its common school, which was frequently the "primary department" of a town academy. Township and county funds were always desired and frequently obtainable to sustain or partly sustain these "primary departments," leaving usually small tuition rates to be paid by the parents to supplement the public funds. In these towns and villages the idea of public free schools found a favorable situation and made good headway.

Another favorable factor for the development of schools during the last two decades preceding the Civil War was the almost unbroken prosperity of the period. The panic of 1837 and financial distress that followed was a severe blow to the state, but the recovery was rapid. And this need not be surprising in view of Governor McNutt's statement in his inaugural address in 1838 that the annual exports of the sparsely populated state were one-sixth of those of the entire nation.<sup>1</sup> Land values recovered from the blow of 1837 and gradually increased. The cotton crops of the state were abundant and usually brought fair prices. Year by year the size of the crop was increased and the number of slaves increased proportionately. The popular slogan seemed to be, "Make more cotton to get more money to buy more negroes to make more cotton," *ad infinitum*.<sup>2</sup> The general prosperity of these antebellum days is reflected in the messages of the governors of the period. In 1850 Governor Matthews commented on the prosperous condition of the state and used it as a basis for his argument for a system of common schools supported by a state tax.<sup>3</sup> Similarly, Governor McRae in 1858 said, "The growing wealth and increasing population of our state . . . induces me to suggest to the Legislature the propriety of providing by law for the appointment of a State Superintendent of Public Instruction," etc.<sup>4</sup>

The situation in Mississippi during our period of study, as it has been set forth in these pages, was evidently more favorable for the growth of private academies and higher institutions of learning than for the development of a system of free elementary schools. As we shall see in a later chapter, the secondary schools were comparatively

<sup>1</sup> *Ibid.*, p. 240.

<sup>3</sup> Senate Journal, 1850, pp. 20-21.

<sup>2</sup> *Ibid.*, pp. 238-39.

<sup>4</sup> *Ibid.*, 1858, p. 23.



numerous, liberally supported, and, during seasons of prosperity, flourished vigorously in the state. The chief hindrance to these schools seems to have been the difficulty of securing competent teachers. There was so much more money to be made in farming than in teaching that it was practically impossible to obtain native teachers. Those imported were frequently not the best that the older states had, and sometimes were utterly incompetent and morally unfit.<sup>1</sup> There were, however, a great many excellent teachers who came from other sections and founded schools that were great forces in the upbuilding of the state, but there was difficulty in keeping the men who came into the state from abandoning their profession for more lucrative employment. An interesting letter written by Rev. Morey of Mount Sylvan Academy in 1847 throws a side-light on this phase of the school situation. Writing to friends in the north concerning the prospects for northern teachers in Mississippi, he said:

Come determined to teach, not to speculate or marry; our places for golden investment are all occupied and our heiresses all engaged. Not to farm it or to preach; we know how to raise cotton better than you could, and we have a fair supply of preachers. Not to become politicians or lecturers on phrenology; the science of government is wonderfully well known here, and phrenology is not popular. In short, we need teachers, not peddlers, nor doctors, nor lawyers, nor literary pretenders.<sup>2</sup>

With reference to higher education there was also a hindering factor in the tendency of parents to send their boys out of the state for their education. This was due in many cases to the attachment which the parents felt for schools in the states from which they came and sometimes to the greater prestige of the colleges of the older states. As a consequence, Jefferson College, the several denominational colleges, and, later, the state university did not receive the support that they merited. The private colleges and seminaries for girls, however, were more freely patronized, and these became very numerous.

<sup>1</sup> "Report of State School Commissioner," Senate Journal, 1850, p. 154.

<sup>2</sup> Mayo, "The American Common School in the Southern States, during the First Half of the Republic, 1790-1840," *Report of the United States Commission of Education*, 1895-96, p. 307.

## CHAPTER II

### THE GENERAL TENDENCIES AND CHARACTERISTICS OF EDUCATIONAL LEGISLATION IN MISSISSIPPI BEFORE 1860

#### COMMON SCHOOLS

There are five outstanding characteristics to be observed in the legislation of Mississippi relative to common schools prior to the Civil War. These may be briefly stated as follows:

First, the development of township common schools, built usually upon the sixteenth sections, with funds secured from the rents from these sections or income from the fund derived from the school sections and often partially supported from the same source. Usually there was only one school to the township.<sup>1</sup>

Second, the tendency to make the township the unit for control of schools. From 1824 to 1846 this was the universal policy throughout the state. The township trustees, elected by the resident heads of families of the township, were given almost complete freedom in the management of the sixteenth sections, the disposition of the income therefrom, and the control of schools, supported or partially supported therefrom. The most noteworthy characteristic of the great mass of legislation relative to the school lands and township schools was its permissive character. Trustees were continually given authority to do this or that, but there is practically no compulsion.<sup>2</sup> The attempt in 1846 to make the county the unit in school control aroused a great deal of opposition, which finally resulted in a division of the state between the two plans. The greater part of the state, apparently, returned to the system of township control.<sup>3</sup>

Third, a general absence of central control of the local educational activities—closely correlated with the tendency to magnify the small units in the management of schools. An act of 1821 attempted to set up a central state board with certain administrative duties and to provide for the supervision of schools by county officials, but the duties of the state board after 1824 were limited to the education of the poor

<sup>1</sup> See detailed discussion in chap. iv, pp. 29-36.

<sup>2</sup> *Ibid.*

<sup>3</sup> See Tables X, XI, and XII in chap. x.

children, and the supervisory functions of its appointees in the several counties were nullified by the lack of authority to enforce any recommendations they might choose to make. The duties of the state school commissioner, an office created in 1846 and filled by the secretary of state, were wholly clerical and advisory.<sup>1</sup>

Fourth, the education of orphans and poor children at the expense of the state. From 1821 until 1839 the state provided for the payment of the tuition and the purchase of books and other school necessities for orphan children through the Literary Fund.<sup>2</sup> For a few years this responsibility was thrown upon the townships. After 1848 state laws provided that those counties that did not maintain free schools should provide free tuition for poor children and orphans from certain revenue appropriated by the state to the county school funds.<sup>3</sup>

Fifth, a general reluctance to impose direct taxation for common schools. Indirect taxation through the appropriation of escheats to the state and all fines imposed in the courts was resorted to in 1821 and became the fixed policy of the state. After 1846 license fees to retailers of liquors, keepers of billiard tables, brokers, and peddlers, and, later, the proceeds from sales of estrays and runaway slaves, were also appropriated to common schools.<sup>4</sup> A permissive direct tax was authorized in 1846, and the boards of police in many counties levied school taxes, but there was at no time during the period of this study a compulsory statewide direct tax for schools.

The general result of these policies was that only in very rare instances the trustees of townships maintained a free school before 1846. In some townships there were no schools even partly maintained by the sixteenth sections, and in some cases the people did not go through the formality of electing trustees to care for the school lands. More frequently, it seems, the township trustees established a township school, employed a teacher, and devoted whatever income the township had from its school section to the payment of a part of the teacher's salary. The remainder of the salary was collected from the patrons of the school. If there were any indigent children in the township, the tuition rates for these were paid out of the Literary Fund by county commissioners appointed for that purpose.

The township schools, however inadequate, served one good purpose. They were nurseries of the idea of publicly supported common schools among a people who had had no experience with such schools. As

<sup>1</sup> See chap. x, p. 110.

<sup>2</sup> For the act of 1821 see *Laws of Mississippi*, 1821, pp. 27-34.

<sup>3</sup> See Table III, chap. v.

<sup>4</sup> See pp. 119-20.



Mississippi began to recover from the effects of the panic of 1837, the nation-wide revival of interest in common schools made itself felt in the state and manifested itself in a growing demand for a free school system. An advocate of public free schools was elected governor in 1843, but the legislature elected at the same time disregarded his recommendations for a system of schools.<sup>1</sup> Having been re-elected in 1845, the governor sent to the legislature a detailed plan for a system of schools modelled upon the laws of Massachusetts, and enclosed with his message a personal letter from Horace Mann describing the workings of the Massachusetts system.<sup>2</sup>

The legislature adopted the uniform school system, after inserting certain provisos of a permissive character that forbade the possibility of the system becoming uniform. When opposition developed, both from those who wanted an effective school system and from those who opposed free schools, the succeeding legislatures, in accordance with the general policy of deferring to local wishes, passed numerous acts, providing different school laws for different counties and groups of counties.<sup>3</sup> Thus the "uniform" public-school system was shattered like a broken mirror.

The adoption of the common school law of 1846 brought a distinct gain to the educational conditions of the state, which was not all lost in the disintegration of the system. Some of the more progressive counties, in fact, provided better schools under the special acts than they could have secured under the general state law. Furthermore, the extension of indirect taxation under the act of 1846 by the appropriation of license fees from peddlers, brokers, keepers of billiard tables, and retailers of liquors to common school funds, was retained almost without exception in all counties of the state.<sup>4</sup> Distinct progress was also made in some counties in the matter of direct taxation for schools. The policy of making an appropriation from the state treasury to assist those counties willing to tax themselves for common schools, under which \$300,000 was distributed, was probably another resultant of the movement which caused the passage of the act of 1846.

#### SECONDARY AND HIGHER EDUCATION

The general policy of Mississippi was to leave to private initiative to provide means of secondary instruction. Academies were incorporated, usually with self-perpetuating local boards of trustees, who, with few restrictions, were left to manage and maintain their institutions as

<sup>1</sup> See chap. v, pp. 41.

<sup>2</sup> Senate Journal, 1846, pp. 64-66.

<sup>3</sup> See detailed discussion of this legislation in chap. v.      <sup>4</sup> See Table XV, chap. xi.

seemed best to them. In a few instances provision was made for partial support of academies, and for a period of seven years, 1839-46, public funds were appropriated throughout the state to such institutions.<sup>1</sup>

The policy of the state toward higher education differed little from its attitude toward secondary education, except in its dealings with the state university after its incorporation in 1844. After the incorporation of the university the state continued to hold in trust for it the Seminary Fund, which was the result of the sale of the federal land grant to the state for a "seminary of learning." To maintain the university the legislature adopted the plan of making annual appropriations. As a consequence of this financial dependence, although it was a self-perpetuating corporate body, the board of trustees were kept in vital relationship to the legislature.<sup>2</sup>

#### EDUCATION FOR SPECIAL CLASSES

One of the early educational policies of Mississippi had for its object the schooling of orphans. Under its laws of apprenticeship, masters were required to teach their apprentices "to read, write, and cypher." After 1825 an Orphans' Home in the city of Natchez was supported in part by state appropriations.<sup>3</sup> In 1848 the school for the blind was incorporated, and six years later the institution for the deaf and dumb was established. Both of these institutions were supported almost entirely by appropriations from the state treasury.<sup>4</sup>

#### GENERAL SITUATION

The final result of the educational legislation in Mississippi at the close of the period of study might be stated briefly as follows:

1. For common schools there was a mixed system of central and local control and support, with the emphasis decidedly in favor of the local units.

2. Secondary education, except in the few large towns, was wholly in the hands of private individuals, with only slight restrictions imposed upon them by the state in their charters, and, except in rare instances, no public support.

3. The responsibility for higher education was divided between the university, supported by the state, and the colleges maintained or favored by the religious denominations. It had become the fixed policy of the legislature to control and support the university, as also the institutions for the blind and the deaf and dumb, through legislative enactments and appropriations from year to year.

<sup>1</sup> Detailed discussion will be found in chap. vi.

<sup>3</sup> See pp. 94-95.

<sup>2</sup> See chap. vii for full discussion.

<sup>4</sup> See pp. 100-104.

## CHAPTER III

### EDUCATIONAL BEGINNINGS; LEGISLATION OF THE TERRITORIAL PERIOD

The first territorial government for Mississippi was organized in 1798 under provisions almost identical with those of the ordinance of 1787, with the legislative power vested in the governor and three judges. Two years later Congress granted the petition of a large portion of the inhabitants of the territory, who were dissatisfied with Governor Sargent, that the legislative power be vested in a general assembly. At that time the number of qualified voters was probably less than one-fourth the number required by the ordinance for the modified form of government.<sup>1</sup> The act of Congress granting an assembly became effective May 10, 1800, and provided for an election to be held the first Monday of the following July for members of the House of Representatives. The upper house, or council, was to consist of five members appointed by the President from a list of ten nominations made by the House. The assembly was to meet annually in December, but the commissions for the members of the council did not arrive in time for a session in 1800. A called session in July, 1801, failed to enact any legislation which received the sanction of the governor. In December, 1801, the assembly met in its first regular session, the first effective popular legislative body of the territory.<sup>2</sup>

#### BEGINNINGS OF HIGHER EDUCATION

On May 4, 1802, Governor Claiborne sent a special message to the general assembly, in which he urged the importance of a "system of public education," saying:

I should be sorry to see the functions of the first legislature chosen by the People concluded, until some provision was made upon this interesting subject. . . . If wealth be not used as an Instrument to promote knowledge and rational refinement, there is danger that it may produce Luxury and Vice in the rising Generation, and become the means of corruption both Public and Private. . . . I submit, therefore, the propriety of extending your legislative cares to the Education of our Youth: a seminary of Learning, established at some situation central to the Population of the Territory,

<sup>1</sup> Rowland, *Encyclopedia of Mississippi History*, II, 76.

<sup>2</sup> *Ibid.*, p. 78.



fostered by the Government, and placed under the direction of a well selected Board of trustees, would, I flatter myself, become a fruitful nursery of Science and Virtue. At the Seminary our youth would be collected into one community, and would form the ties of intimacy, which would bind their hearts in union and friendship through life.<sup>1</sup>



MISSISSIPPI TERRITORY IN 1802

In response to this appeal the legislature passed "An act to establish a College in the Mississippi Territory," which was approved on May 13, 1802—just nine days after the governor had submitted his message to the legislature. Thus at their first opportunity the elected representatives of the people of Mississippi manifested their interest in the education of the youth of the territory.

The charter of the new institution provided that it should be called Jefferson College, in honor of "Thomas Jefferson, President of the United States and President of the American Philosophical Society."

<sup>1</sup> Rowland, *Mississippi Territorial Archives*, I, 431-32.

Thirty-four trustees were named and made a self-perpetuating corporate body. They were given power to select a site for the college, "some healthy and central situation," and to contract for buildings.<sup>1</sup> They were authorized to employ a president and faculty, to examine into the proficiency of the students, and to confer the degrees of bachelor of arts and master of arts. The trustees were required to "take effectual care that students of all denominations be admitted to equal advantages" and "receive a like fair and generous treatment." The legislature did not feel that the young territory was then in position to give direct financial aid to the college. It was given exemption from taxation, and the students and faculty were exempted from militia duty, except in case of actual invasion. The trustees were authorized to raise by lottery the sum of \$10,000. They were also required to collect donations from the citizens of the territory and from others, and to inscribe the names of the donors and their donations in a book to be preserved in the archives of the college in order that posterity might know who were the benefactors of the institution.<sup>2</sup>

Apparently there was no great rush of the benevolent-minded to get their names preserved in the archives of the college. When the next legislature assembled in the following December, Governor Claiborne reminded the legislators that their predecessors had passed an act to establish a college, but had left its support to private contribution. Believing that support of this kind was "too precarious to insure the welfare of so desirable an institution," he recommended that a tax be put on marriage licenses for the permanent endowment of the college, and that Congress be solicited to make a donation of land to it.<sup>3</sup> The latter recommendation resulted in securing a provision in the act of Congress of March 3, 1803, setting aside for the use of Jefferson College thirty-six sections of public land, to be located in one body by the secretary of the treasury, and also donating two town lots in Natchez, with "an outlet adjoining the same, not exceeding thirty acres," to be located by the governor of the territory.<sup>4</sup>

The township of land granted by Congress was located in the eastern portion of the territory on the Tombigbee River. After the division of the territory it lay in Alabama. Many years later the legislature of

<sup>1</sup> The site selected was Washington in the extreme southwestern part of the territory, but at that time near the center of white population. See map on p. 18.

<sup>2</sup> *Digest*, 1816, p. 310.

<sup>3</sup> Rowland, *op. cit.*, I, 561.

<sup>4</sup> *The Public Statutes at Large of the United States of America from the Organization of the Government in 1789 to March 3, 1845*, II, 234.

Mississippi described the lands as "sterile, unproductive, pine barrens, subject to periodical inundations of the Tombeckbee<sup>1</sup> River."<sup>2</sup> Whatever value the lands may have acquired later, the gift did not provide the means for maintaining a college during the territorial period. In 1803 a site for the college was selected at Washington, about six miles from Natchez, but for many years no attempt was made to put the school in operation.

It was not until 1810 that Jefferson College opened its doors to students, and then only the "academic" or preparatory department was begun. In fact, it seems probable that the collegiate department was not opened until after the territory became a state.<sup>3</sup>

The legislature in 1810 granted to the school all escheats throughout the territory for a period of ten years,<sup>4</sup> from which source five or six thousand dollars were realized.<sup>5</sup> An attempt was made in 1811 to pass an act "for raising a fund for erecting buildings and for the support of the Jeffersonian College of Mississippi Territory," and the bill passed the House, but failed to become a law.<sup>6</sup> The school, however, managed to continue its sessions as an academy, receiving but little financial assistance from the territorial government. In 1816 the legislature granted to the trustees of the institution a loan of \$6,000, to be paid in four equal instalments, the first becoming due January 1, 1817. The trustees were required to secure the loan to the territory by giving bond for twice the amount involved and a mortgage on the real estate of the college.<sup>7</sup>

Thus the territorial period closed with the only college within the territory unprovided with adequate means for its maintenance, indebted to the territorial government, and with its endowment of lands mortgaged as security for the debt. The subsequent story of the state's relations to this institution will be related in the chapter, "Higher Education in Mississippi from 1817 to 1860."<sup>8</sup>

<sup>1</sup> Tombigbee.

<sup>2</sup> Laws of Mississippi, 1830 (November), pp. 145-46.

<sup>3</sup> Morrison, "Early History of Jefferson College," *Publication of the Mississippi Historical Society*, II, 179-88.

<sup>4</sup> Digest, 1816, p. 264.

<sup>5</sup> Mayes, "History of Education in Mississippi," United States Bureau of Education, *Circular of Information*, No. 2, p. 27.

<sup>6</sup> House Journal, 1811, pp. 40, 44, 51, 73, 74.

<sup>7</sup> Digest, 1816, p. 453.

<sup>8</sup> See chap. vii, p. 82.



## BEGINNINGS OF SECONDARY EDUCATION

The charter of Jefferson College was the first act of incorporation granted by a Mississippi legislature for any purpose whatever. The delay in opening the school, however, permitted two chartered academies to precede it in actual operation. The first charter granted to a secondary institution in the territory incorporated the Franklin Society in Jefferson County on January 8, 1807. This society had been organized more than a year before, and had opened its school, which was called Franklin Academy.<sup>1</sup> Among the incorporators of the society were Cato West, Thomas Hinds, and others prominent in the early history of the territory and state. They were empowered to purchase, receive, hold, and enjoy real and personal property "for the purpose of enabling them better to carry into execution, encourage, and promote such measures" as might tend to advance the interests of Franklin Academy.<sup>2</sup>

Madison Academy in Claiborne County was the next school to receive letters of incorporation. The charter was granted on December 5, 1809, but the school had been organized earlier, as is indicated in the charter. The act provided that "the school on the north fork of Bayou Pierre in the neighborhood of Port Gibson, now under the direction of Henry C. Cox, be, and the same is, hereby erected into an Academy, hereafter to be known by and bear the name of Madison Academy." A board of trustees of thirteen members was named, and was given the power to fill vacancies in its own body. It was stipulated in the charter that children of all religious denominations should be admitted "to equal advantages" and should "receive alike

<sup>1</sup> Franklin Society was organized and its constitution adopted at a meeting held January 4, 1806. According to the provisions of the constitution, subscribers to the society were required to pay an admission fee of \$20 and a subsequent annual fee of \$10, which was to go to the support of the academy. At a meeting held August 19, 1806, a house and lot was rented at Greenville, Jefferson County, from Edward Turner for the sum of \$100 in advance, and Felix Hughes was employed as teacher. Rates of tuition were fixed at \$20 a year for "Reading, Writing, and Common Arithmetic," and \$30 for "English Grammar, Bookkeeping, Geography, and the practical branches of the Mathematics, and the Latin and Greek languages." The date of the opening was set for the first day of the following month. That the school actually opened at the time contemplated is indicated by an advertisement in the *Mississippi Messenger* of September 16, 1806, in which Martha Throckmorton proposed to give board and lodging "at her Houses in Greenville" to "pupils to the Franklin Academy" for eight dollars a month, and with washing included for ten dollars a month. *Mississippi Messenger*, February 11, August 19, and September 16, 1806.

<sup>2</sup> Digest, 1816, p. 52.

fair and generous treatment.” The trustees were granted the privilege of raising by lottery for the benefit of the institution a sum not exceeding \$2,000.<sup>1</sup> In December, 1814, the legislature authorized the removal of Madison Academy, provided the new location should be not more than three miles from Port Gibson.<sup>2</sup>

For several years these two academies seem to have been the chief dependence of the people of the Natchez district for secondary education. At any rate, no others in the western part of the territory were incorporated until 1814. In the meantime there had grown up rather extensive settlements near Mobile Bay and along the rivers tributary to the bay, forming a nucleus for the later territory of Alabama. During the years 1811 and 1812 two academies were chartered for the citizens of this eastern country, Washington Academy, at St. Stephens, in old Washington County, and Greene Academy, located in old Madison County.<sup>3</sup> These two schools seem to have been especially favored by the territorial legislatures. They were the only academies of the territorial period that were given exemption from taxation in their charters, and they were permitted to raise larger sums by lotteries than any others, \$5,000 for Washington and \$4,000 for Greene.<sup>4</sup> In 1816 they were granted direct appropriations from the territorial treasury of \$500 each, the only instance when money was appropriated by the territory directly for an educational purpose.<sup>5</sup>

Toward the close of the territorial period, four additional academies were incorporated in the Natchez section of the territory. Jackson Academy, in Wilkinson County, was given a charter in 1814.<sup>6</sup> During the following year two other academies in Wilkinson County were incorporated on the same day, December 23. These were Pinckneyville Academy in the town of Pinckneyville and Wilkinson Academy at Woodville.<sup>7</sup> At the same session the legislature also gave a charter to

<sup>1</sup> Digest, 1816, p. 53.

<sup>2</sup> *Ibid.*, p. 54.

<sup>3</sup> These counties are not to be confused with the later counties of Madison and Washington created in Mississippi. When the territory was divided they were thrown into Alabama.

<sup>4</sup> Digest, 1816, pp. 54, 56.

<sup>5</sup> Appended to act making loan to Jefferson College, Digest, 1816, p. 80: “There is also hereby given and granted to Greene Academy and St. Stephens Academy each the sum of \$500, to be paid out of the Territorial treasury, on the auditor’s warrant, which warrant he is hereby required to issue on the order of the president of the said academies respectively.”

<sup>6</sup> Digest, 1816, p. 57.

<sup>7</sup> *Ibid.*, pp. 58, 59.

Amite Academy, for which the trustees were to select a site within three miles of Liberty.<sup>1</sup>

The eight academies that have been named constitute the beginnings of secondary education in Mississippi. The acts of incorporation have several characteristics in common. The boards of trustees were all self-perpetuating bodies. The names of the institutions, with the exception of Pinckneyville Academy, indicate that they were expected to serve more than a local constituency, four bearing the names of men of national fame and three the names of the counties they were to serve. In none of the charters was any provision made for support, except to the extent of authorizing small sums to be raised by lottery.<sup>2</sup>

Six of the eight academies of Mississippi Territory were located in the group of counties comprising the "Natchez District."<sup>3</sup> With the exception of Amite Academy they were all within the four counties bordering upon the Mississippi River. The new counties of Franklin, Lawrence, Pike, Marion, Wayne, Greene, Hancock, and Jackson had made no provisions for secondary education that are revealed by the legislation of the territory. These counties at the time were very thinly settled.

#### BEGINNINGS OF ELEMENTARY EDUCATION

It may appear that Mississippi Territory began her educational structure at the top and worked downward. This, however, is only apparently true, for although her first school legislation was the incorporation of Jefferson College and the next was the chartering of academies, it must be remembered that academies preceded the college in opening their doors to students, and that they were not strictly speaking mere secondary schools. The academies of Mississippi, as, indeed, of the whole nation, had a very elastic and varied curriculum. They supplied whatever their patronage demanded, when they could, and did not stop to ask whether they were doing elementary or secondary work. Indeed, they had no scruples against offering college work. It is clear that Franklin Academy, the first chartered institution to admit pupils in the territory, was an elementary school as well as an academy. This is probably true of all other academies of the period.

It should be remembered further that private elementary schools scattered here and there constituted an essential part of the school

<sup>1</sup> *Ibid.*, p. 57.

<sup>2</sup> See Table XVI, p. 124.

<sup>3</sup> The other two were located in Washington and Madison counties, now a part of the state of Alabama.



facilities of the territory, although they were without legislative recognition.<sup>1</sup>

But the people of Mississippi Territory, or at least their chosen leaders, were not content to rely on private resources for the support of elementary education. Governor Claiborne in the message to the legislature in 1802 seems to have had in mind something more than Jefferson College when he urged the need of "a system of public education." In 1806, acting Governor Cowles Meade in his address to the legislature said:

Taught by the experience of centuries, warned by the expiring groans of falling states, cautioned by the miseries of others, let us begin our Young Republic by providing largely and munificently for the general diffusion of knowledge; let the poor be supplied with means of education; let schools be erected throughout your Territory on such generous terms as will enable every

<sup>1</sup> The newspapers of the period contain frequent references to these private elementary schools, which often provided work of higher grade. Such advertisements as the following, both from the *Mississippi Messenger* of April 29, 1806, were not uncommon:

#### WANTED

in the town of Greenville  
(where a large school can be had)

#### A TEACHER

of the English Language. None need apply, but such as will continue one year at least, and can come well recommended.

---

#### JAMES WILKINS

has taken that large and commodious House on the Bluff, formerly occupied as a Government-House; where he will teach young Females Reading, Writing, Arithmetic, Geography, and the use of Globes.

He will also board them if required, bedding being found by his employers.

If sufficient encouragement is offered, he will endeavour to procure that Dancing and Music shall also be taught in his house.

Particular attention will be paid by Mrs. Wilkins to the manners and accommodation of Boarders; she will also, as early as the age of her young child will permit, instruct them in Needle-Work.

Terms made known on application.

To commence on the 17th inst.

Natchez, March 11, 1806.

citizen to understand his proper station in society . . . , to detect the guise of craft and duplicity, and expose the lurking deceits of the ambitious hypocrite.<sup>1</sup>

To this eloquent outburst the legislature responded:

We shall use our best endeavours for the adoption of some efficient plan, by which to disseminate the seeds of science among the rising generation.<sup>2</sup>

Apparently the legislature could find no satisfactory plan for disseminating the "seeds of science," for there is no record of any legislation in the interest of public education at this session. In fact, no act was passed by any territorial legislature with specific reference to elementary schools.

The real beginnings of public elementary education are to be found in the federal legislation of this period. When in 1803 Congress passed an act providing for the disposal of public lands within the new territory, the policy of reserving the sixteenth section in each township for school purposes was extended to Mississippi.<sup>3</sup> When it was discovered, soon after, that in some townships the sixteenth sections had passed into private hands by earlier grants, Congress passed a supplementary act which provided that

Whenever the section number sixteen shall fall upon land already granted by virtue of any act of Congress, or claimed by virtue of a British grant, the Secretary of the Treasury shall locate another section in lieu thereof, for the use of schools, which location shall be made in the same township, if there be any other vacant section therein, and otherwise in an adjoining township.<sup>4</sup>

Two years later a third act of Congress reserved all the sixteenth sections in the portion of the territory ceded to the federal government by the Indians in 1805.<sup>5</sup>

In 1815, Congress authorized the county courts to take charge of the lands reserved by the United States for school purposes, to lease the lands for a period not to extend beyond January 1, following the admission of the territory as a state, and to expend the proceeds of the leases in building schoolhouses.<sup>6</sup> With these four acts of Congress as a basis the people of the state of Mississippi, in the face of numerous difficulties, were to begin the slow and arduous process of developing a public-school system.

<sup>1</sup> *Mississippi Messenger*, December 9, 1806.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Statutes at Large*, II, 229.

<sup>4</sup> *Ibid.*, p. 400.

<sup>5</sup> *Ibid.*, p. 480. See map, p. 5.

<sup>6</sup> *Ibid.*, III, 163.

## CHAPTER IV

### ELEMENTARY EDUCATION FROM 1817 TO 1846. THE SIXTEENTH SECTIONS AND THE TOWNSHIP SCHOOLS

When Mississippi became a state in 1817 there was incorporated into her constitution the well-known provision of the ordinance of 1787:

Religion, morality, and knowledge being means to good government, the preservation of liberty, and the happiness of mankind, schools, and the means of education, shall be forever encouraged in this state.<sup>1</sup>

The first legislature to assemble under this constitution authorized the judges of the county courts to take charge of the land given by the United States government for school purposes in their respective counties, and to provide for the erection of one or more schools, as they "deemed right and useful." They were permitted to lease the school lands for not longer than three years at a time, and to dispose of the proceeds from these leases "according to the terms of the donation." In erecting schoolhouses the judges were required to expend the rents from school sections within the township to which the lands belonged.<sup>2</sup> In 1820 the law was amended so as to require the county courts to direct the sheriffs of the several counties to lease the school sections for a period of five years, as soon as the previous leases should expire. The lessees were required to give bond in double the amount of the value of the land they leased that there should be no waste of timber or soil. This amendatory act also provided that the county courts should appoint in each township from three to five "discreet land holders" to put into operation such schools as in their judgment might be "compatible with their funds." These "discreet land holders" were required to apply to the schools they should establish all the rents received from the school lands of their respective townships.<sup>3</sup>

It is evident that funds provided by the short leases must have been inadequate even for the erection of school cabins in many of the

<sup>1</sup> Thorpe, *The Federal and State Constitutions, Colonial Charters, and Other Organic Laws of the States, Territories, and Colonies*, IV, 2025-68.

<sup>2</sup> Approved February 5, 1818. Hutchinson, *Code of Mississippi*, p. 205.

<sup>3</sup> Laws of Mississippi, 1820. MS Laws, Mississippi State Archives, Series I, No. 3.



townships, and in others it was doubtless impossible to lease the school lands at all. When by any means houses were erected wholly or in part from the proceeds of the leases, the schools had to be maintained chiefly by private subscriptions and tuition rates. In 1821 Governor Poindexter reported to the legislature the result of an investigation of the school situation throughout the state, which he said was based upon information received from every county. He said, in part:

There is scarcely a seminary of learning among us worthy of the name; perhaps not one. The rudiments of the English language are taught in a few private schools dispersed over a wide extent of country, and even these meet with poor encouragement, and are often conducted by incompetent teachers. Jefferson College, which has been so richly endowed by the general government, and upon which our liberality has been so freely bestowed, is comparatively an empty dome with pensioned preceptors.<sup>1</sup>

#### ACT TO ESTABLISH THE LITERARY FUND

The governor recommended that a "Literary Fund" for the endowment of public education and for the education of the poor be raised by a moderate annual tax. The legislature responded by passing an act entitled, "an act to establish a Literary Fund, and for the encouragement and support of education in this state."<sup>2</sup> The act appropriated to the Literary Fund all "escheats, confiscations, forfeitures, and all personal property accruing to the state as derelict" after December 30, 1821, and "all fines, pecuniary penalties, and forfeitures," imposed within the state for the violation of a penal statute or for a misdemeanor, except such as were otherwise particularly appropriated. A direct tax of one-sixth of the general state tax was also levied for the fund, but this clause was repealed by the next legislature.<sup>3</sup> The act provided that such part of the moneys accruing as was needed for the payment of the tuition of poor children in the several counties of the state should be used for that purpose, and the balance should be reserved and invested as an endowment for public education, and be distributed to the counties of the state when it should reach a total of \$50,000.

For the administration of the Literary Fund the act incorporated the "President and Directors of the Literary Fund." This body was made to consist of the governor, lieutenant-governor, secretary of state, attorney-general, presiding judge of the supreme court, the

<sup>1</sup> *Mississippi State Gazette*, Natchez, January 6, 1821.

<sup>2</sup> *Laws of Mississippi*, 1821, pp. 37-44.

<sup>3</sup> *Ibid.*, 1822-23, pp. 103-4.

chancellor of the state, and three persons elected by the general assembly. An amendment to the act in 1823 eliminated the attorney-general and chief justices of the two courts.<sup>1</sup> The directors were required to report annually the condition of the fund, the amount collected, the amount expended for the education of the poor, and the amount invested.

For applying the portion of the income of the fund needed for the education of the poor, one section of the act<sup>2</sup> required the president and directors to appoint in each county a board of school commissioners to consist of not less than five nor more than ten "discreet persons." The commissioners in each county were authorized to determine "what number of poor children" they would educate, and what sum should be paid for their education, and "to draw orders upon their treasurer for the payment of the expense of tuition, and of furnishing such children proper books and materials for writing and cyphering." The children selected by the commissioners were to be sent to such school as might be convenient "to be taught reading, writing, and arithmetic." The directors of the Literary Fund were required to pay over to the treasurer of the commissioners of each county such sum as the commissioners should certify was necessary for the education of the poor children of the county. An account of the expenditures of this sum was required of the commissioners by the directors of the fund.

In addition to their duties relative to the education of the poor children, the school commissioners were required to appoint a committee from their own body to visit all schools of all grades in their respective counties. The act also provided that no one should be permitted to teach in the state without demonstrating his qualifications to teach to the satisfaction of the directors of the Literary Fund. This provision of the act is discussed more fully in chapter x.<sup>3</sup> It should be observed here, however, that the school commissioners did not have the power of employing or discharging teachers, or any other effective means of controlling teachers within their counties.

The last four sections of the act under discussion took the control of the sixteenth sections from the county courts and gave to the president and directors of the Literary Fund the power to lease all school lands for such length of time as they might see fit. The president and directors were required to act through agents to be appointed in each county. The proceeds of the leases were to be used under the direction of the county school commissioners in erecting schoolhouses in the

<sup>1</sup> Laws of Mississippi, 1822-23, pp. 103-4.

<sup>2</sup> Sec. 10.

<sup>3</sup> See p. 109.

townships to which the lands leased should belong. This portion of the act was repealed in 1824, when the state adopted the township plan of control of schools.

#### THE SYSTEM OF TOWNSHIP CONTROL OF SCHOOLS AND SCHOOL LANDS

On January 9, 1824, an act of the legislature was approved, which fixed the policy of the state as to the control of schools and school lands for the next twenty-two years. The act provided for a board of trustees in each township in the state to consist of five men, elected annually by the resident heads of families who were legal voters.<sup>1</sup> In this act is reflected a general tendency in the state to keep power and authority as close to the people as was possible. The legislature probably was influenced also by the fact that each school section was the property of the township in which it was located and was designed for the education of the children of that particular township, and by the belief that it would be looked after most carefully by its immediate owners and beneficiaries.

Except for slight limitations the township trustees were left free to do as they thought best with the rents from school lands, provided they used them "for the promotion of learning." They were required to preserve the school lands from improper waste, and were given power to lease them for terms of five years. They were to erect "such convenient school house or houses" on the sections reserved for the use of schools as they thought best suited to the general interest of the families resident within the township, and were to make regulations for the government of the schools, employ the teachers, and "pay the same either in whole or in part, out of the moneys in their treasurer's hands." There was, however, no penalty for failure to provide schools.

The system of township control of schools inaugurated in the act of 1824 remained in force until 1846. There were minor changes in various points of the law, to be sure, sometimes merely modifying the act in so far as it applied to a certain county or township, for it seemed to be generally agreed that if the law did not please any particular community, the state was ready to pass a special act to suit the local wishes. For instance, a special act provided that in township 17, range 5, east, in Warren County, the trustees should be elected for terms of five years instead of one year, and that all the school revenue of the township should be expended on one school.<sup>2</sup> A score of similar acts could be quoted.

<sup>1</sup> Laws of Mississippi, 1824, pp. 9-12.

<sup>2</sup> *Ibid.*, 1829, pp. 29-30.



## THE NINETY-NINE-YEAR LEASES

There was one feature of the law of 1824 that was subject to continuous revisal. This was the clause limiting the term for which school lands might be leased. In 1826 the privilege was granted to township 11, range 1, east, in Claiborne County, to lease its sixteenth section for ninety-nine years, and invest the proceeds in stock of the Bank of Mississippi.<sup>1</sup> The dividends, only, were to be used for the support of the schools of the township. In 1830 there seems to have been a growing demand for the privilege of leasing school lands for longer periods than the five years provided by law, for the more extended leases were permitted by special acts as follows:

Township 8 in Jefferson County.....	12 years <sup>2</sup>
Township 5, Range 3, in Rankin County.....	99 years <sup>3</sup>
All townships in Pike County.....	15 years <sup>4</sup>
All townships in Madison, Jefferson, Claiborne, Monroe, and Lowndes counties.....	99 years <sup>5</sup>

In addition to the above there was a special act permitting the trustees of the school section in township 10, range 3, west, in Yazoo County, to lay off two hundred acres of the school section in town lots and lease these to the highest bidder for ninety-nine years.<sup>6</sup>

No restrictions whatever were laid upon the trustees of the township in Rankin County relative to the ninety-nine-year lease. In the more comprehensive act for the counties of Madison, Jefferson, Claiborne, Monroe, and Lowndes, it was required that the full amount of the leases should be paid within four years in equal annual instalments, that they should be granted only upon the direction of a majority of the resident heads of families of the township involved, and that the lands were to be advertised, and let to the highest bidder, but for not less than five dollars an acre. In case there were no bidders, trustees might, upon the direction of the majority of the resident heads of families, advertise the lands a second time and lease to the highest bidder at a minimum of two dollars an acre. The act required that the proceeds of the leases should be invested in bank stock, which should constitute a permanent endowment for education in the township, and the dividends, only, might be used for the schools.

<sup>1</sup> Laws of Mississippi, 1826, pp. 96-97.

<sup>2</sup> *Ibid.*, 1830 (January), pp. 114-15.

<sup>3</sup> *Ibid.*, 1830 (November), p. 36.

<sup>4</sup> *Ibid.*, p. 21.

<sup>5</sup> *Ibid.*, pp. 97-98.

<sup>6</sup> *Ibid.*, 1830 (January), pp. 31-32.

There is one important difference between the acts authorizing the twelve- and fifteen-year leases and those authorizing the ninety-nine-year leases. In the case of the former the lessee paid an annual rent which was expended directly upon the schools of the township; in the latter the lease was regarded as a sale, except that the lessee received a title for ninety-nine years instead of in fee simple, and the entire proceeds were to be paid in a few years, but were to be invested and only the interest or dividends upon them were to be used.<sup>1</sup>

The motives that inspired the people of the townships seeking the privilege of leasing the school lands for ninety-nine years can be inferred only from a consideration of the general conditions of the time and from the provisions of the acts. There seems to be some foundation for the belief that in all the long leases prior to 1833 the chief consideration of the people and the legislatures was the desire to realize something tangible for school purposes as quickly as was consistent with the general educational interests of the townships involved. Lands were plentiful and cheap at the time that this movement was inaugurated so that it was difficult, doubtless, to find persons who cared to rent school lands, mostly unimproved, for the short period of five years. Furthermore, the Bank of Mississippi had been administered upon safe banking principles, was thoroughly sound and exceedingly prosperous. The stockholders had grown wealthy from the dividends and surplus that had accrued.<sup>2</sup> What is more plausible than the argument that we can virtually sell these idle school lands, collect the proceeds in cash, and invest it in bank stock? The investment is safe, and the schools will share in the wealth that is being accumulated by the banks. The endowment provided by the Literary Fund is gradually piling up in the state treasury, and nearing the point where, under the law, it must be distributed to the counties. Why not create a second endowment fund from the sixteenth sections?

<sup>1</sup> The ninety-nine-year leases are frequently referred to in later acts as sales. It is possible that some trustees in violation of law actually sold their sections in fee simple, and that such sales were afterwards legalized, but there is not sufficient evidence in the statutes to justify such a conclusion. Numerous instances of acts to "legalize sales" or "legalize leases" indicate that the word sale was used to mean a ninety-nine-year lease. See p. 32 and footnote. There are two instances where sales in fee simple were clearly authorized. One township in Lowndes County was given this privilege in 1852, and the school commissioners of Lauderdale County in 1854 were authorized to sell in fee simple all the school lands in the county, except in such townships as a majority of the voters signed a petition to the contrary. Laws of Mississippi, 1852, p. 116; 1854, pp. 456-57.

<sup>2</sup> Brough, "History of Banking in Mississippi," *Publications of the Mississippi Historical Society*, III, 317-40.

It should be observed that the movement for the extension of leases arose within the townships and counties, and that the acts of the legislature were in response to the demands from local constituencies. It should be observed, further, that with one exception the legislature very carefully guarded the rights of the schools. It should also be noted that the legislature in authorizing the earlier long leases provided a minimum sum for which the lands might be leased that compared favorably with the price for which lands could be purchased in fee simple. Again, it should be noted that the lands were leased in no case for an annual pittance, as was done in some of the other states, but always for a lump sum, payable, usually, in four annual instalments. These leases, it appears, differed from sales only in that the purchaser received title for only ninety-nine years.<sup>1</sup> In view of the facts that have been recounted it is possible to conclude that the motives inspiring the long leases prior to 1833 were purely patriotic, representing an earnest desire to use the school lands to the best advantage for public education.

But whatever may be said in justification of the earlier long leases, it must be admitted that they opened the way for legislation that proved disastrous to the school interests of the state. In 1833 an act was passed extending to all counties in the state the privilege of leasing school lands for a term of ninety-nine years. The circumstances under which this law was enacted and the provisions contained within it indicate that it was passed not in response to the demands of school

<sup>1</sup> An act of 1841 gave to lessees of school lands the same rights in courts of law that owners of lands in fee simple had, except that they might not sue the lessors. See *Laws of Mississippi*, 1841, p. 127.

Attention has been called to the fact that the words "sale" and "lease" seem to be used synonymously in the laws to refer to the ninety-nine-year leases. This is clearly true in the following act:

"An act for the relief of purchasers of the sixteenth sections in the county of Greene, and for other purposes.

"Whereas, the several sixteen sections of land in the counties of Green, Wayne, and Lauderdale, have been sold, and the purchasers thereof, having purchased in good faith, have paid a portion of the purchase money, and have executed their notes for the balance of the purchase money; and whereas such sales were not made in strict compliance with the provisions of the laws in such cases made and provided;

"Be it enacted—That so soon as said purchasers shall pay to the county treasurer—the balance of the purchase money now remaining unpaid, the presidents of the boards of police of said counties are authorized and directed, to execute a lease to said purchasers of said sixteenth sections, for the term of ninety-nine years from the date of sale, and said lease shall be valid, as if said lands had been legally and properly sold." *Laws of Mississippi*, 1859, p. 70.



trustees or patrons, nor in the interest of the schools of the state, but for the purpose of promoting the pet scheme of the governor and the legislature at the time. The Planters' Bank had been incorporated two years before with a capital stock of \$3,000,000, and the state government was having difficulty in getting the stock subscribed.<sup>1</sup> One of the several schemes adopted by the legislature to secure subscriptions to the bank stock was to authorize the leasing of all sixteenth sections in the state for ninety-nine years provided that the proceeds be invested in Planters' Bank stock. The only limitation placed upon the trustees in making the leases was the requirement that a majority of the heads of families in the various townships must request such action before the trustees could legally grant the lease. Not only was the minimum price of five dollars or two dollars an acre omitted from this act, but also it was expressly indicated in the act that the legislature expected many of the sections to be disposed of for trifling sums, for it was provided that if any section leased for less than \$100, the price of one share in the Planters' Bank, the sum secured should be lent at interest until the amount was sufficient to purchase one share of the stock.<sup>2</sup>

#### LOSS OF THE SIXTEENTH SECTION FUNDS

It is not known how many townships availed themselves of the opportunity to turn their school lands into stock of the Planters' Bank. Apparently, however, only a small proportion of the sixteenth sections were leased under the restrictions provided in 1833 as to the investment of the funds. This was due probably to several causes, largely, perhaps, to inertia on the part of the resident heads of families and the lack of demand for the lands. The Chickasaw cession had just been consummated, and with the prospect of large areas of public lands to be secured in fee simple, the demand for the ninety-nine-year leases could not have been very great. The Chickasaw lands brought a flood of immigration to the state, however, which rapidly took up the public lands and caused considerable inflation in real estate values. It seems probable that the townships in some case may have been deterred from leasing their lands under the act of 1833 because of the intense opposition to the Planters' Bank and the lack of confidence in that enterprise.<sup>3</sup> At any rate, most of the school sections that were leased

<sup>1</sup> See Brough, *loc. cit.*

<sup>2</sup> Laws of Mississippi, MS Laws, 1833, Mississippi State Archives, Series I, No. 18.

<sup>3</sup> The Natchez *Southern Galaxy* was one of the papers that voiced the opposition to the Planters' Bank. "Can the legislature," it asked, "for a moment imagine that

for ninety-nine years were not disposed of until after the act of 1833 was amended in 1836. The amendment, which was approved in February of the latter year, provided that the trustees might lend the proceeds from the leases to "good and responsible persons" at 10 per cent interest, to be secured by notes payable within twelve months, or might invest the proceeds in the purchase at par of stock in *any* solvent bank.<sup>1</sup>

Under the acts of 1833 and 1836 the lessees of school lands were to pay the full amount of the purchase price in four annual instalments. The law required only that the notes given for the deferred payments should be endorsed by two good securities, and no mortgages were taken. Evidences soon began to accumulate that in many cases the lessees failed to make their deferred payments. The act of 1836 authorized the presidents of boards of trustees to bring suits against debtors to the school funds, and required the district attorneys to prosecute all such suits.<sup>2</sup> Subsequent acts provided for the assessment of 20 per cent damages, where lessees of lands or borrowers of school funds had to be sued.<sup>3</sup>

In the meantime it had become evident that most of the supposedly "solvent banks" of the state, in whose stock the school funds of some townships had been invested, were in a serious condition. The era of wild speculation, inflation of values, and extension of credit was followed by a reaction. In 1837 the panic came, and banks suspended specie payments. In 1840 the legislature passed an act for winding up the business of insolvent banks, and Governor McNutt, under the authority given in the act, immediately declared many of the bank charters forfeited. Other banks had put their assets in trust before the law became effective.<sup>4</sup> In the following year the trustees of schools were authorized to sell at public sale to the highest bidder for cash all depreciated bank paper in their hands.<sup>5</sup>

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the enormous sum of \$3,000,000 would be subscribed, and actually paid in for the stock of a bank, founded in bad faith, uncertain of the duration of its existence, and still more uncertain of successful operation?" Rowland, *Encyclopedia of Mississippi History*, I, 187.

<sup>1</sup> Laws of Mississippi, 1836, p. 15.

<sup>2</sup> *Ibid.*, p. 19.

<sup>3</sup> *Ibid.*, 1840, p. 196; 1842, pp. 130-33; 1854, p. 554. See also Governor Brown's message, Senate Journal, 1846, pp. 23 ff.

<sup>4</sup> Rowland, *op. cit.*, I, 220.

<sup>5</sup> Laws of Mississippi, 1841, pp. 122-23.

In 1843 the legislature passed an act which offers an additional explanation of the total loss of the sixteenth section funds in most townships of the state. Section 4 of this act reads in part as follows:

It shall be the duty of the trustees of each of the townships in this state to distribute the proceeds arising from the sale or lease of the sixteenth sections therein, to all schools that may be established within said townships; which distribution shall be in proportion to the number of resident scholars attending each school respectively.

This act seems to direct an abandonment of the endowment plan, and to require the trustees to use the principal, or actual proceeds of leases, instead of the interest only, as all previous acts had required. The act provided that under certain conditions leases previously made might be rescinded and that new leases might be made at a lower price and on easier terms.<sup>1</sup> Only one-tenth of the total purchase price was to be paid annually, instead of one-fourth, as required in the earlier laws. It seems probable that many townships taking advantage of this act, where they had not been able to collect the proceeds of the earlier leases, made new contracts, and applied the whole of the annual proceeds to maintaining their schools.<sup>2</sup>

It should be observed that all the legislation relative to the leasing of sixteenth sections prior to 1846 was permissive in character, and that the final decision as to the disposition of the school lands was left to the trustees and resident heads of families in each township. It is evident that under such conditions the management of school lands must have varied greatly in different parts of the state, and often in

<sup>1</sup> It has sometimes been inferred from the title of this act that it was intended to authorize the repudiation of school leases after the proceeds had been lost in bad investments. Were it not for a proviso contained in the act this inference might be drawn, for the title reads: "An act to authorize the trustees of schools and school lands in all of the sixteenth sections reserved to this State by act of Congress, to rescind sales, leases, and other contracts made in relation thereto, and for other purposes." The act, however, provides that no sale, lease, or other contract shall be rescinded, where purchaser, lessee, or contractor is able to comply with his contract, unless the majority of the resident heads of families in the township first give their consent in writing to such *reduction*, and no reduction shall be made unless lessee shall secure the remainder of the purchase money by mortgage or other security to the satisfaction of the trustees. It is clear that new leases were to be made at lower figures and on easier terms. Laws of Mississippi, 1842, pp. 130-33.

<sup>2</sup> Evidence of such action is slight. The president of the board of police of Yazoo County refers in 1846 to townships using their school money or the interest thereon for schools in his county, implying that some townships were operating under the act of 1842. Senate Journal, 1846, p. 55.



the same part, and even in the same county. To confirm this inference there have been preserved the replies to a questionnaire relative to the sixteenth sections and common schools, which Governor Brown sent to the presidents of the boards of police and the probate judges of the several counties in 1845. Replies were received from only fifteen counties,<sup>1</sup> but these are sufficient to indicate every sort of management or mismanagement of the school lands, ranging from a considerable degree of success to inefficiency, criminal negligence, and downright dishonesty.

<sup>1</sup> These replies were submitted to the legislature with the governor's message in 1846. They may be found in the Senate Journal of that year, pp. 41-60. It will be permissible to summarize here the reports from a few counties representing different sections of the state.

Monroe County: Only nine school sections in county. (The greater part of the county was in the Chickasaw cession, for which Congress adopted a different plan of land grant for schools.) One section valueless. Eight townships had sold from seven-eighths to the whole of their school section, i.e., leased for ninety-nine years. (See pp. 31 and 32 and footnotes.) Each of the eight townships had proceeds of sale lent at 10 per cent interest and well secured. Sums at interest ranged from \$736.94 for the poorest township to \$2,360 for the wealthiest. Two townships maintaining one free school each for ten months. In one township there were three schools, free to all for three months in the year. In two townships there were no schools during past year, but one of them had sufficient funds to provide a free school six months.

Yazoo County: J. J. Michies, president of the board of police reported twenty-two sections in the county. "About thirteen of the number," he wrote, "have been leased for ninety-nine years, at what price, I cannot say. Four or five of these sections were sold in *Brandon times*, and the proceeds have 'gone glimmering through the dream of things that were.'" The remaining townships that had "sold" their school lands were appropriating the "money or the interest thereon" to the support of schools. Forty acres of each section had been retained by the trustees, on which the schoolhouse was located. Twelve schools were receiving half their support from school land funds, and about 200 children in the county were being educated at the expense of these funds. In most instances where the fund was insufficient to sustain the school entirely, it was appropriated to the indigent, leaving the wealthy to pay their tuition fees.

Hinds County: (Report from only one township, made by the secretary-treasurer of the township board of trustees.) The township had a total school fund of \$6,362.33, of which \$5,231.12 had been derived from the sale of the school section. The fund was lent at 8 per cent, and two free schools were maintained by the proceeds.

The Pine Woods Counties: The several reports from southeast Mississippi were all of about the same tenor. The soil of these counties is not fertile, and they were covered with dense forests of long leaf yellow pine timber, at that time inaccessible to market and in very little demand. Moreover, the difficulty of clearing the land and of cultivating around the pine stumps, which could not be removed without great expense, decreased the desirability of the land for agricultural purposes. Consequently there

## LOSS OF THE LITERARY FUND

The Literary Fund, created in 1821, gradually accumulated a surplus above the amount needed for the education of the poor children of the various counties. In 1826 the governor was required to invest \$12,000 of the fund in stock of the Bank of Mississippi,<sup>1</sup> and two years later the entire fund was invested in this stock.<sup>2</sup> In 1830 the investment was ordered transferred to stock in the Planters' Bank.<sup>3</sup> An effort to increase the fund by a direct tax of one-tenth of the state tax for general purposes was made by the act of February 12, 1830,<sup>4</sup> but this act was repealed in the following December, before its provisions could be carried out even for one year.<sup>5</sup> By 1833 the fund amounted to \$50,000, and according to the act which created it, should have been distributed to the counties of the state.<sup>6</sup> Instead of selling the stock of the Planters' Bank and distributing the proceeds, the legislature chose to have the investment continue, to retain the stock in the treasury, and to prorate the shares according to the free white population of the several counties.<sup>7</sup> The dividends upon their respective shares were ordered distributed to the counties.

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was not sufficient demand for land to make the school sections of any value for school purposes. The following reports are typical for this section of the state.

Hancock County: Two sections sold for \$70 and \$175 respectively; twenty-five sections unsold; no schools maintained or children educated from the proceeds of sixteenth sections.

Jones County: Total number of school sections, sixteen; none leased; no schools maintained and no children schooled with sixteenth section funds.

Wayne County: Only three school sections considered worth anything; one of these sold, proceeds unknown; four hundred acres of another section sold for one cent an acre; no schools supported by school lands and no children educated from proceeds of these lands.

Harrison County: Total number of sections, twenty-four; none sold; estimated value, \$300 each. One section mostly in the Bay of Biloxi, and partly covered by an old Spanish grant. The secretary of the treasury had been requested to locate another section for this township. Three hundred and seventy-five children in the county; four common schools, attended by seventy-five children. Report adds: "Our population is at present much scattered, and this is one of the great difficulties to be overcome in this, as in all new settled countries, by individuals in getting means of instruction for their children."

<sup>1</sup> Laws of Mississippi, 1826, p. 129.

<sup>4</sup> *Ibid.*, p. 38.

<sup>2</sup> *Ibid.*, 1828, p. 130.

<sup>5</sup> *Ibid.*, 1830 (November), p. 19.

<sup>3</sup> *Ibid.*, 1830 (January), p. 35.

<sup>6</sup> See p. 27 of this chapter.

<sup>7</sup> Laws of Mississippi, 1833 (January), Mississippi State Archives, Series I, No. 19. The par value of each share was \$100. The apportionment to the several counties

The failure of the Planters' Bank swept away the entire amount accumulated for the Literary Fund, and the act which created it was practically repealed by the passage of an act in 1839 which turned to the academies of the state the revenue which had hitherto gone to the Literary Fund.<sup>1</sup>

#### ATTEMPT TO SECURE NEW SCHOOL LANDS

While it was disposing of all the available school funds in the interest of the Planters' Bank, the legislature paused long enough in its labors to attempt to secure from Congress additional resources for common schools, possibly with the idea that they, too, should be invested in the bank stock. One action to this effect was a memorial to Congress praying that permission should be given to the majority of the resident heads of families of each township, to relinquish, if they saw fit, the sixteenth section and to enter some other section of public land within the Choctaw cession. The request was based upon the plea that frequently the sixteenth sections were sterile and unprofitable, especially "in the pine woods counties east of Pearl River."<sup>2</sup> The other action in this direction was in the form of a resolution, which sought to secure for the schools of the various counties all public lands within the counties which had been offered for sale for three years without securing a purchaser.<sup>3</sup>

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was as follows: Adams, 20 shares; Amite, 23; Claiborne, 22; Covington, 11; Copiah, 32; Franklin, 15; Greene, 7; Hinds, 33; Hancock, 8; Jackson, 7; Jones, 7; Jefferson, 20; Lawrence, 20; Lowndes, 14; Madison, 17; Marion, 13; Perry, 8; Rankin, 10; Simpson, 13; Yazoo, 13; Holmes, 12; Pike, 24; Wilkinson, 26; Warren, 20; Wayne, 10; Washington, 5; Monroe, 17.

<sup>1</sup> Laws of Mississippi, 1833 (November), Mississippi State Archives, Series I, No. 19. See chap. vi of this study, p. 53.

<sup>2</sup> Laws of Mississippi, 1833 (November), Mississippi State Archives, Series I, No. 19.

<sup>3</sup> *Ibid.* The resolution is as follows:

"Believing that every true patriot who wishes the prosperity of our common country and the perpetuation of enlightened republican institutions feels a deep interest in spreading light and knowledge over our whole population; this we can conceive can be best promoted by the establishment of primary schools in each county in this state, and in each and every state in the Union; being however specially concerned as to the importance of educating the youths of this state in elementary principles, and believing with our sister states that education is the only means of perpetuating a true knowledge of our government and its principles, and believing that the attainment of such desirable ends cannot be a matter of indifference to the general govern-



## CURRICULUM OF THE TOWNSHIP SCHOOLS

There is no definite statement of the curriculum of an elementary school to be found in the legislation from 1817 to 1846. Occasionally there is a reference to the common schools, or to the "common branches," but the legislature appears to assume that the content of these branches was fixed and well understood. That these branches consisted only of the three R's in 1821 is implied in the provision of the act creating the Literary Fund, which required commissioners of education to have the poor children of their respective counties taught reading, writing, and arithmetic.<sup>1</sup> That the curriculum was expanded somewhat between 1821 and 1846 is indicated by the advertisements of schools in the newspapers of the period, but there is no confirmation of this opinion to be found in acts of the legislature.<sup>2</sup>

## SUMMARY OF CHARACTERISTICS OF THE PERIOD

The passage of the common school act of 1846 marks the end of a distinct period in the history of the elementary schools of Mississippi. The chief characteristics of this period, as they appear in the preceding pages, may be summed up as follows:

First, supreme control in school affairs, except in the matter of supervision of the education of the poor and a limited oversight of teachers in their work, was in the hands of the township trustees, who were elected by the resident heads of families in the respective townships.

Second, the proceeds from the sixteenth section leases were the chief dependence for funds for the erection of schoolhouses and the payment of teachers, in so far as public support was concerned.

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ment, and that they will be disposed to harmonize with us in producing results so desirable, with little, if any, sacrifice to the general weal;

"We therefore pray that the refuse lands in the several counties of our state, which have, or will have been offered for sale three years, shall thereafter belong to the respective counties within which they may be situated, and be subject to be disposed of by the county police of each county, for the sole and only purpose of establishing and maintaining primary schools in the respective counties."

<sup>1</sup> See p. 28.

<sup>2</sup> The advertisements of academies, assuming that the primary departments of these schools were co-ordinate with the common schools, indicate that the usual curriculum was reading, writing, spelling, and elementary arithmetic. In 1835 the Pontotoc Academy includes also grammar in the curriculum of its "primary department." In this instance the texts used are given, which were as follows: Murray's *Spelling Book*, *Introduction*, *English Reader*, and *Small Grammar*; Pike's *Arithmetic*. The academy charged a tuition fee of \$2.00 a month for this course. (*The Mississippian*, September 18, 1835.)

Third, only in a small proportion of the townships were there sufficient funds to maintain schools entirely with the public funds, while in many townships the school lands did not contribute anything to the education of the children.

Fourth, the inadequacy of the funds thus provided made it necessary for parents, who had means, to pay tuition rates covering a part or all of the expense of educating their children.

Fifth, from 1821 to 1839 the state provided for the payment of tuition fees of poor children from the Literary Fund. After the funds for this purpose were transferred to another object in 1839, some townships used their sixteenth section funds solely to pay the tuition of poor children.

Sixth, the commissioners who had control of the disposition of the money appropriated from the Literary Fund for the education of indigent children of their respective counties also had limited supervisory powers over the schools of the county.

Seventh, the state attempted, with the residue of the Literary Fund not used for the education of poor children, to build up an endowment for common schools. This policy was abandoned when the sum that had been accumulated was lost in the failure of the Planters' Bank.

## CHAPTER V

### ELEMENTARY EDUCATION FROM 1846 TO 1860. THE FIRST SCHOOL SYSTEM AND THE MULTIPLICATION OF "SYSTEMS"

#### AGITATION FOR A COMMON SCHOOL SYSTEM

From the day that Governor Claiborne urged upon the first active territorial legislature in 1802 the importance of a "system of public education," there were always among the leaders of the people of Mississippi men who looked forward to the realization of their dreams of a well-organized school system. Vague in outline, never wrought out in all its details, the vision persisted, leaving its impress upon the speeches of political leaders and the papers of public officers. Even in 1833, when the legislature (with the governor's approval) was bringing disaster upon the common schools, Governor Scott in his message to the legislature recommended "the propriety . . . of immediately, by legislative enactment, laying the foundation of a general system of Schools and Academies, so organized that the means of instruction may be placed within the reach of the poorest of our citizens."<sup>1</sup>

While the legislature apparently ignored this suggestion of the governor, its actions doubtless hastened the time when the state should attempt to enact a law in accordance with his recommendations. The low state to which the common schools were reduced after the loss of the Literary Fund and the income from most of the sixteenth sections raised the school question to a prominent place in the state campaign of 1843. During that campaign Hon. A. G. Brown, the successful candidate for governor, advocated a "well regulated system of free schools," saying, in an address to the people of the state, "If we are to be taxed for any other purposes than the economical support of government, I greatly prefer that it shall be for the establishment of schools." He cited "the history of New England and her enlightened population," as a "most striking commentary on the advantages of the free school system."<sup>2</sup> In his inaugural address in 1844 Governor Brown repeated his advocacy of a free school system, and urged the legislature to pass an act in accordance with his views, but without success. During the campaign of 1845 he continuously agitated the school question among the people

<sup>1</sup> House Journal, 1833, p. 13.

<sup>2</sup> Cluskey, *Speeches, Messages, and Other Writings of A. G. Brown*, p. 54.



of the state, and was overwhelmingly re-elected on a platform favoring a free school system. In his message to the legislature on January 6, 1846, he repeated his recommendations made to the previous legislature, and outlined his plan in considerable detail.<sup>1</sup> He advocated a school system with a state officer to be known as the "general school commissioner" at its head, and with a board of school commissioners in each county, who should make semiannual reports to the "general commissioner." He recommended that all fines, forfeitures, and licenses for various retail businesses should be set aside for a school fund, to which he wished to be added the proceeds from a direct state tax of 5 per cent of the state and county taxes. From these sources the governor estimated that the school fund would receive \$75,000 a year. He wished this fund to be used to supplement the township funds, wherever they were insufficient to maintain a free school for at least three months in the year.

#### ADOPTION OF A SCHOOL SYSTEM; ACT OF 1846

After receiving the governor's message the legislature framed and passed an act entitled, "An act to establish a system of common schools," which the governor approved March 4, 1846.<sup>2</sup> The act followed the recommendations of the governor as to the general organization of the school system, except that it provided that the secretary of state should perform the duties of the "general school commissioner." The greater part of the power and authority in school matters was taken from the township trustees and centered in the county boards of school commissioners,<sup>3</sup> which were made to consist of one member from each of the five police districts in each county. The commissioners were to organize with a president, secretary, and treasurer, and were required to hold quarterly meetings, receiving such compensation for their services as the boards of police of the counties should determine. They were given complete control of all school funds, bonds, stocks, notes, etc., held by the township trustees, including the sixteenth section funds, but were required to keep a separate account with each township of the money arising from the sixteenth sections, and use this money only for the township to which it belonged. The county school commissioners were also to have complete control over their "common school fund," which was provided by an appropriation of all fines and the license fees from

<sup>1</sup> Cluskey, *op. cit.*, pp. 75-76; Senate Journal, 1846, pp. 23 ff.

<sup>2</sup> Laws of Mississippi, 1846, pp. 98-104.

<sup>3</sup> See p. 110.

hawkers, keepers of billiard tables, and retailers of vinous and spirituous liquors arising within their respective counties. They should also add to this county fund any additional moneys that might accrue from a tax which the county boards of police might levy under certain conditions.

The commissioners were required to designate what schools in their respective counties should be deemed "common schools," and to have general superintendence of them. They were to examine teachers and license such as they thought qualified to teach "the various branches of an English education in the common schools." They were to make contracts with teachers and to pay their salaries from the common school fund. Twice each year, in June and December, they were required to make a report to the "general school commissioner," showing for their respective counties "the situation of schools and school funds; the number of scholars attending school; the number of teachers, and the amount paid to teachers out of the sixteenth section fund, the common school fund, and by private individuals."

The secretary of state as ex officio "general school commissioner," was required to preserve the reports of the county commissioners, and to publish in January and July of each year abstracts summarizing the educational work of the state as a whole. For these services he was allowed an additional compensation of \$500 a year.

The news that Mississippi had adopted a uniform system of common schools was received with general rejoicing throughout the state. When the details of the act became known, however, there was an evident revulsion of feeling.<sup>1</sup> Those who had most warmly advocated a common school system felt that the usefulness of the act was practically destroyed by the weakness of two sections. Section 6, which purported to provide for a direct tax for the benefit of the common schools, as Governor Brown had recommended, was found only to authorize the boards of police to levy a tax, if they chose to do so, in their respective counties. This permissive levy could not exceed the state tax for general purposes, which was two and one-half mills. To make the situation worse the boards of police were hampered by a proviso which read as follows:

The consent of a majority of the resident heads of families in each township shall be filed in writing and recorded on the minutes of said board, before such tax shall be levied on the inhabitants of each township.

The other point of weakness was in a proviso attached to section 12. It permitted any township to be exempted from the provisions of the

<sup>1</sup> "Report of General School Commissioner," House Journal, 1848, pp. 1030-36.

entire act by a majority of the heads of families filing their protest with the clerk of the board of police in their respective counties on or before the first day of March in each year. Such a protest having been filed, the board of trustees of the protesting township was entitled to control and manage the funds arising from the lease of the sixteenth section of the township under the laws already existing before the passage of this act.

It is clear that because of these provisos there was the probability that, instead of establishing a uniform system of common schools, the act would bring into the school management greater variance than had existed before. It was possible for one county to have three different schemes in operation at the same time, if the board of police should choose to levy the tax that was permitted. Some townships would probably accept the tax; others might accept the new plan of organization of the school work, but withhold their consent to the tax levy; and a third group might protest the act entirely and continue to operate under the previous laws, with the township trustees in full authority.

When the legislature assembled in 1848 the governor submitted the report of the general school commissioner, which showed that most of the county school commissioners had failed to make the reports to him that were required by the law. There was no penalty for failure to report. The reports that were sent in showed general lack of confidence in the law and opposition to it. Only a few schools had been established under the act—three in Hinds County, three in Holmes, two in Leake, two in Lowndes, none in Covington, etc. Some townships had protested. In many places nothing had been done to put the act into operation.<sup>1</sup>

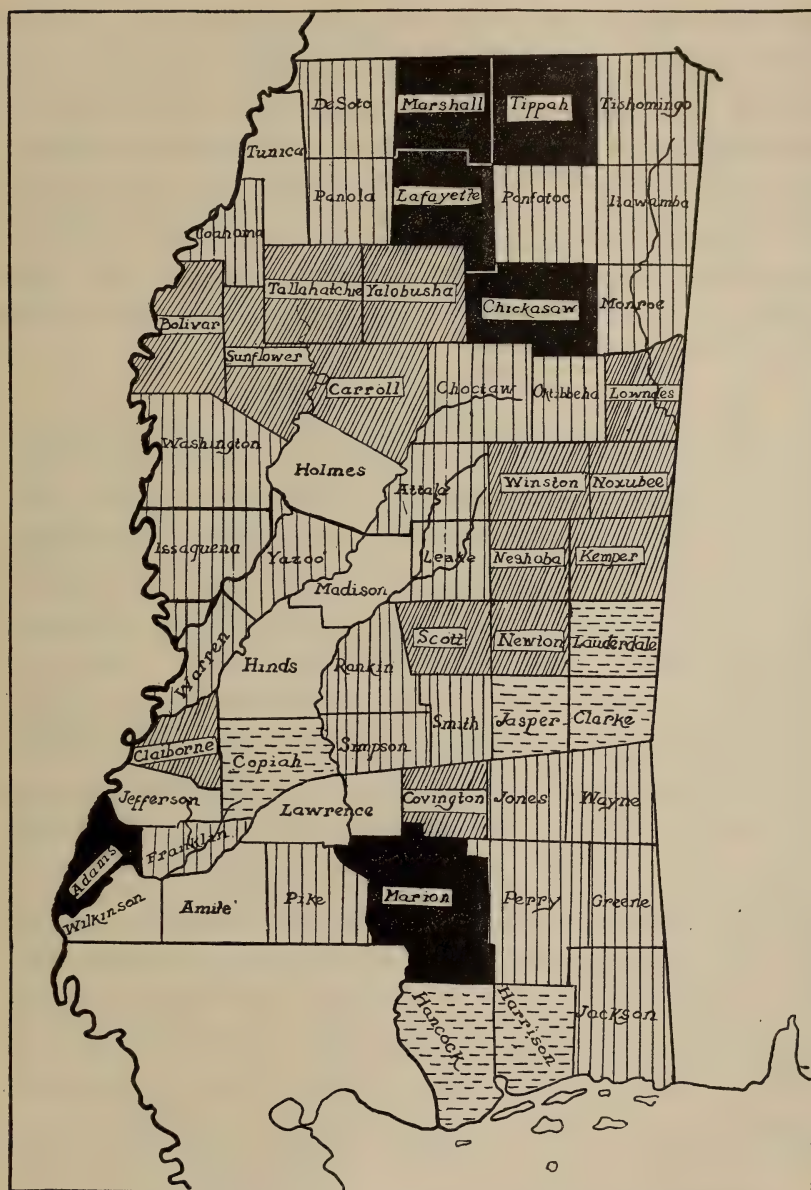
In his message to the legislature Governor Brown stated that the common school law had not fulfilled the anticipations of its friends, and recommended its immediate repeal and the substitution of an act more in accord with his message at the opening of the session of 1846.<sup>2</sup> A bill was introduced into the House to amend the act of 1846 and was referred to the committee on education. The committee apparently could not agree upon a bill, and finally asked the House for instructions as to whether a state tax should be included. The House then instructed the committee to report a bill providing for a tax for common schools of not less than 25 per cent of the state tax.<sup>3</sup> The committee failed to report the bill and asked to be relieved of further consideration of the matter. The bill was then referred to a select committee which made

<sup>1</sup> House Journal, 1848, pp. 1030-36.

<sup>2</sup> *Ibid.*, p. 26.

<sup>3</sup> *Ibid.*, pp. 579, 658.





- [Solid White] Compulsory tax—township control.  
 [Horizontal Lines] Permissive tax proviso repeated—county control.  
 [Diagonal Lines] Use of county fund for orphans and poor—no tax—county control.  
 [Vertical Lines] Act of 1846 without amendment permissive tax—county control.  
 [Cross-hatch] Independent township control—no tax.

COMMON SCHOOL MAP OF MISSISSIPPI IN 1848

a hostile report, saying it was their "firm conviction that the main features of the act of March 4, 1846, are clearly unconstitutional; that no legislative enactment is legal or constitutional which has for its object the taking out of the hands and control of the trustees of townships and the heads of families of townships the funds arising from the sale of the sixteenth sections to invest in any other person or persons than those elected by the heads of families of the respective townships." The committee also pronounced the law "irregular, impracticable, and not susceptible of general operation, and consequently of no public utility."<sup>1</sup> Worse than all this, the committee failed to suggest anything better than the law it criticized.

#### THE MULTIPLICATION OF SYSTEMS

The legislature, it appears, then abandoned the attempt to construct a law that would be satisfactory to the state as a whole and entered upon a policy of enacting separate laws for different sections of the state. For Clarke, Jasper, Lauderdale, Harrison, Hancock, and Copiah counties it amended the act of 1846 by striking out the objectional proviso of section 6, thus permitting the boards of police in these counties to levy a school tax on their own initiative.<sup>2</sup> For the counties of Marshall, Adams, Chickasaw, Lafayette, and Tippah the act was amended in the opposite direction. Assuming, evidently, that the school tax would not be levied in these counties, the school commissioners were not required to maintain free schools, but were authorized to use their distributive share of the state school fund and any other school revenue that might come into their hands for the education of children of the county, who were "from any cause deprived of the means of an education."<sup>3</sup> A third act was passed, and made applicable to the counties of Hinds, Holmes, Tunica, Jefferson, Wilkinson, Lawrence, and Amite. This act followed Governor Brown's recommendation to the extent that it repealed the act of 1846 and substituted a better one, in so far as these seven counties were concerned.<sup>4</sup> Under this act the assessment of a special school tax of 25 per cent of the state tax was made obligatory upon the boards of police.<sup>5</sup> The act provided for completely organized county systems under the supervision of county superintendents, who were required to visit each school in their counties

<sup>1</sup> House Journal, 1848, p. 937.

<sup>2</sup> Laws of Mississippi, 1848, pp. 143-44.

<sup>3</sup> *Ibid.*, pp. 145-47.

<sup>4</sup> *Ibid.*, pp. 185-96.

<sup>5</sup> Except for Wilkinson and Jefferson, where it was discretionary.

once in three months. The county superintendent also examined and licensed teachers. The townships were divided into districts, to contain "not less than twenty youth," but sparsely settled townships might constitute one district, or even unite with other townships to form a district. Under this act, it is said, that schools were maintained in some instances for ten months in the year without tuition charges.<sup>1</sup> Such schools probably were rare, but there seems to be little doubt that the school situation in this group of counties was fairly satisfactory. In a fourth act the legislature repealed the act of 1846 so far as it related to sixteen counties of the state and restored the conditions prior to 1846, except that the provision for county school funds from fines and license fees was retained.<sup>2</sup> In other words, these sixteen counties returned to the plan of local control of schools through the township trustees. The remaining counties of the state were left to operate their schools under the act of 1846 without amendment.<sup>3</sup> The uniform school system had been replaced by five distinct systems, if the word system may be applied to the counties in which the individual townships were independent of all outside control.<sup>4</sup>

Thus was begun a series of special acts upon the organization of the common schools which in a few years left Mississippi with a bewildering maze of "school systems," large and small. Groups of counties, single counties, single townships, and even municipalities were organized into distinct school systems. The legislature of 1850 passed twenty-four acts of this nature; of 1852, twenty; of 1854, sixteen; and by 1860 the total special legislation on the subject was expressed in one hundred and twenty-five acts, counting the shreds of the original act of 1846, which was still in force in some counties.

Some idea of the multiplicity of the legislation of common schools may be obtained by tracing the several acts in the interest of one county. The county of Copiah cannot be classed among the most progressive school counties of the period, nor was it one of the laggards. It did

<sup>1</sup> Timberlake, "Did the Reconstruction Give Mississippi Her Public Schools?" *Publications of the Mississippi Historical Society*, XII, 79-80. Miss Timberlake quotes statements of ante-bellum teachers living at the time she wrote.

<sup>2</sup> These counties were Noxubee, Lowndes, Yalobusha, Winston, Covington, Jefferson, Neshoba, Scott, Newton, Madison, Bolivar, Carroll, Sunflower, Tallahatchie, Claiborne, and Kemper. *Laws of Mississippi*, 1848, pp. 201-4.

<sup>3</sup> An exception should be made of Marion County, for which a special act so amended the law of 1846 as to restrict the use of the common school fund to the education of poor children. *Laws of Mississippi*, 1848, pp. 199-201.

<sup>4</sup> See Common School Map of Mississippi in 1848, p. 45.



not make more vital changes in its school laws than some of the other counties,<sup>1</sup> but is equalled by only one other county in the number of acts relative to its schools. It was one of the counties left by the legislature of 1848 under the school law of 1846 so amended that the objectionable proviso of section 6 was removed. In other words the machinery and provisions of the general school system were left intact, and the board of police was free to supplement the county school funds arising from fines, license fees, etc., with a tax levy not to exceed two and one-half mills.

After four years under the amended act the county secured a further amendment, by which the method of distributing the county school fund was changed.<sup>2</sup> This amendment contained a provision exempting any township from its provisions in which a majority of the voters should file a written protest by the first Monday in January, 1853. We are informed in the preamble of an act passed in 1854 that some townships had availed themselves of their privilege of rejecting the amendment of 1852, but had repented of this action. It was therefore enacted that townships which had protested the act might come back under its provisions by filing a written petition to that effect, signed by a majority of the voters.<sup>3</sup> The legislature of 1854 also passed an act "providing the manner in which teachers of common schools in the county of Copiah" should present their claims to the school commissioners.<sup>4</sup>

The acts thus far noted were all in effect amendments to the act of 1846, and the county was still nominally under the general school system. In 1858 it was given a school system of its own under the title, "An act to establish a system of common schools in Copiah county."<sup>5</sup> This act was to become effective as soon as it should be ascertained that "a majority of the voters of the said county are in favor of taxation for the support of schools," and it provided for an election to be held to determine the attitude of the people. The act, if it should be approved by the people, required that the board of police should levy a tax sufficient to cover cost of tuition for every child between the ages of six and twenty-one years, at the rate of ten cents a day. It provided also that teachers should be examined and licensed, if found competent to teach spelling, reading, writing, geography, and English grammar, and if morally qualified. An amendatory act, passed at the same session,

<sup>1</sup> Franklin County holds the record for important changes in her school laws during this period, and equals Copiah in the number of acts.

<sup>2</sup> Laws of Mississippi, 1852, pp. 313-15.

<sup>3</sup> *Ibid.*, 1854, p. 382.

<sup>4</sup> *Ibid.*, p. 398.

<sup>5</sup> *Ibid.*, pp. 94-99.

made the compensation of the county school commissioners the same as that provided for the members of the board of police.<sup>1</sup> The people of the county voted their approval of the school tax and the law became effective. The board of police levied a tax equal to the total state tax.<sup>2</sup> The tax seems to have been too heavy to meet general approval, for the following year the legislature repealed "the common school law of Copiah county," and revived the laws prior to the passage of that act.<sup>3</sup> The repealing act levied a tax of 50 per cent of the state tax on the county for the county school fund, thus cutting in half the levy made by the county board of police.

#### GENERAL CHARACTERISTICS OF THE SPECIAL ACTS ON COMMON SCHOOLS

It is difficult to make any very satisfactory analysis of the numerous special school acts for counties, townships, and municipalities enacted during the final decade covered by this study. The acts vary in several important particulars and in a large number of minor details. Furthermore, all possible combinations appear to have been made as to the variations in the more important matters. It is possible, however, to discover one almost constant characteristic in the different county systems, and to note the attitude of the several counties, often varying in the same county during the decade, toward some of the major points upon which they disagreed.

The one point which practically all counties of the state had in common as a part of their school law was the appropriation of all revenue arising in the several counties from fines, forfeitures, and certain license fees to the common schools. There were a few exceptions to even this generalization. In one county this revenue prior to 1857 was appropriated to an orphan asylum,<sup>4</sup> and in another a part of it was for a time devoted to a library association.<sup>5</sup> A few counties for a part of the time assigned a part or all of the money from these sources to academies.<sup>6</sup> The exceptions, however, are so few that it may be considered the general policy of the state to appropriate all revenue from the sources named to common schools in the counties in which the revenue had its origin. So generally was this accepted that when the commissioners appointed "to revise, digest, and codify the laws of this State, and to

<sup>1</sup> *Ibid.*, 1858, p. 148.

<sup>3</sup> *Ibid.*

<sup>2</sup> *Ibid.*, 1859, pp. 72-73.

<sup>4</sup> See p. 96.

<sup>5</sup> In Yazoo City, 1846-57. Laws of Mississippi, 1846, p. 231.

<sup>6</sup> See p. 125.

propose such alterations or amendments thereof, and such new laws, as they might deem expedient," made their report in the form of the *Revised Code* of 1857, they omitted from the new code all reference to common schools except the following article:

The moneys arising from fines, forfeitures, and amercements, and from licenses that may be granted to alleys, hawkers, and peddlers, and to retailers of vinous or spirituous liquors, that are, or may be made, by law, payable into the county or state treasuries; and all moneys, after defraying costs, that shall arise from sales of estrays and runaway slaves, and which shall not be claimed by the owners thereof within the time limited by law,—shall be appropriated by the boards of police of the counties respectively, to the use and benefit of common or free schools, in their said counties, according to the laws now in force in said counties respectively; *Provided*, that when there shall be no such schools in a county, nor any law establishing such schools in said county, then said moneys may be appropriated to such county purposes as the board of police thereof may direct.<sup>1</sup>

There were four important points upon which the counties differed radically in their school laws. These points of disagreement were concerned with the following questions: (1) the control of schools and school funds; (2) the method of distributing county funds; (3) whether or not there should be direct taxation for common schools, and, if so, the amount of the tax; (4) the manner in which the school funds should be applied.

It has been shown that the control of common schools prior to 1846 had been completely in the hands of township trustees, and that the common school act of 1846 transferred control to the county commissioners, except in such townships as should reject the act creating the common school system. There was a marked tendency from 1848 to 1860 to return the authority to the township trustees. Of the sixty counties<sup>2</sup> in the state at this time about one-half had returned to township control by 1860.<sup>3</sup>

The existence of a county school fund arising from fines, forfeitures, and license fees in nearly all of the counties made it necessary that ways and means should be found for handling this fund and distributing it to the townships in those counties which returned to the township plan of control. In some of these counties the commissioners of education were retained, apparently, for the sole purpose of distributing the

<sup>1</sup> *Revised Code of the Statute Laws of the State of Mississippi*, 1857, p. 367.

<sup>2</sup> Fifty-nine counties in 1848, but Calhoun was added to the list in 1852.

<sup>3</sup> See p. III.



county funds to the township trustees.<sup>1</sup> In other counties this duty was imposed upon the board of police. The basis of distribution also varied. In some counties each township was given an equal share;<sup>2</sup> in others, each township received a sum proportionate to its number of educable children; and in still others the county funds were so distributed as to equalize the educational opportunities of the several townships—a larger portion being given to townships without sixteenth section funds, and a smaller share in proportion to the increase in size of that fund. One county distributed its fund only to the townships which levied a direct tax sufficient to “maintain a free school twelve months or less.”<sup>3</sup>

Upon the question of a direct tax for the support of common schools the legislation of the period provided in most counties for a permissive tax of 25 per cent of the state tax.<sup>4</sup> In a number of the counties there was a compulsory county tax, and in a few counties a permissive township tax, which was sometimes supplementary to a county tax.

There were two points upon which the counties could not agree as to the application of the county school funds: (1) whether the funds should be expended annually as they were received or be retained as a county endowment fund, the interest upon the fund alone being used for the schools; (2) for what purpose, whether principal or interest, the school fund should be used. As a rule it was only the poorer and most sparsely settled counties that adopted the plan of using the school fund as an endowment.<sup>5</sup> Upon the question of the purpose for which the funds should be used the counties may be divided into four classes: (1) those in which the matter was left to the judgment of the township trustees; (2) those in which the state law prescribed that the funds should be used for paying the tuition of orphans and indigent children; (3) those in which it was apportioned among the educable children in proportion to the number of days they attended school; and (4) those in which it was used to pay the salaries of teachers of public schools. Most of the counties maintaining the public schools had provisions in the school law that if the public funds were insufficient to maintain the schools they should be supplemented by subscriptions or tuition rates.<sup>6</sup>

<sup>1</sup> See chapter on administration, pp. 110-12.

<sup>2</sup> Laws of Mississippi, 1854, pp. 349, 458; 1856, p. 109.

<sup>3</sup> Franklin County, Laws of Mississippi, 1854, pp. 527-28.

<sup>4</sup> See table on p. 121.

<sup>5</sup> See list of these counties in footnote on p. 119.

<sup>6</sup> Exceptions to this are the acts establishing “systems” for the counties of Yazoo (Laws of Mississippi, 1850, pp. 145-46), Holmes (Laws of Mississippi, 1850, pp. 160-67), Tishomingo and Itawamba (Laws of Mississippi, 1854, pp. 474-79), and Copiah (Laws of Mississippi, 1858, pp. 96-99).

TABLE III

PURPOSES FOR WHICH COUNTY SCHOOL FUNDS WERE USED

Counties	Left to Township Trustees	Tuition of Orphans and Poor Children	Apportioned to Educable Children	To Maintain Public Schools
Adams.....	1850-	1848-50		
Amite.....				1848-
Attala.....			1850-	1848-50
Bolivar.....	1848-			
Calhoun.....		1856-59	1859-	
Carroll.....	1848-			
Chickasaw.....		1848-		
Choctaw*.....	1850-56	1856-59	1859-	(1848-50)
Claiborne.....	1848-50			1850-
Clarke.....		1859-		1848-59
Coahoma.....				(1848-60); 1860-
Copiah.....			1852-58; 1859-	(1848-52); 1858-59
De Soto.....	1848-56	1856-		
Franklin.....		1852-54	1858-	(1848-52); 1854-58
Greene†.....				(1848-58)
Hancock.....				(1848-54); 1854-
Harrison.....				(1848-)
Hinds.....				1848-
Holmes.....				1848-
Issaquena.....	1852-			(1848-52)
Itawamba.....		1856-		(1848-56)
Jackson.....				(1848-)
Jasper.....	1852-59	1859-		(1848-52)
Jefferson.....		1852-		1848-52
Jones‡.....				(1848-52)
Kemper.....	1848-			
Lafayette.....		1848-59	1859-	
Lauderdale.....				(1848-50); 1850-
Lawrence.....		1850-		1848-50
Leake.....				(1848-)
Lowndes.....	1848-			
Madison.....	1848-50			1850-
Marion.....		1848-54; 1858-	1856-57	(1854-56)
Marshall.....	1848-59	1859-		
Monroe.....	1850-			(1848-50)
Neshoba.....	1848-60		1860-	
Newton.....	1848-52			1852-
Noxubee.....	1848-			
Oktibbeha.....	1852-56	1856-		(1848-52)
Panola.....		1856-59	1859-	(1848-56)
Perry§.....				(1848-58)
Pike.....			1854-	(1848-54)
Pontotoc.....	1848-56	1856-		
Rankin.....	1850-			(1848-50)
Scott.....	1848-50		1850-	
Simpson.....				(1848-56); 1856-
Smith.....				(1848-58); 1858-
Sunflower.....	1848-60			1860-
Tallahatchie.....	1848-56	1856-		
Tippah  .....		1848-59	1859-	
Tishomingo.....		1856-59	1859-	(1848-54); 1854-56

TABLE III—*Continued*

Counties	Left to Township Trustees	Tuition of Orphans and Poor Children	Apportioned to Educable Children	To Maintain Public Schools
Tunica ¶	.....	.....	1850-	1848-50
Warren	.....	.....	1850-	(1848-50)
Wayne	.....	.....	.....	(1848-50); 1859-
Wilkinson**	.....	.....	1850-52	1848-50; 1852-
Winston	1848-	.....	.....	.....
Yalobusha ††	1848-52	1856-	.....	.....
Yazoo	1848-50	.....	.....	1850-

\* Dates in parentheses in last column indicate period county was operating under act of 1846.

† After 1858 schools in Greene were controlled by boards of trustees for each of the five police districts of the county, who determined how the funds should be applied.

‡ After 1850 county commissioners in Jones County were required to lend funds, both principal and interest, as it accrued until interest got large enough to establish one free school in each police district. Laws of Mississippi, 1850, pp. 226-28.

§ Funds to be applied by three trustees in each police district as they "think best." Laws of Mississippi, 1858, pp. 184-85.

|| Trustees were required to invest funds in railroad stock, and use dividends only for schools. Laws of Mississippi, 1852, pp. 93-94.

¶ Funds to be apportioned after 1850 to those only who expressed a desire to benefit from them.

\*\* From 1850 to 1852 funds apportioned to those who apply for them.

†† School fund, principal and interest, lent as it came in from 1852 to 1856.

In Table III the use to which the county school funds were put in the several counties is shown for the twelve years following 1848. Counties in which the law provided that the funds should be used to pay teachers' salaries of public schools may be divided into two classes—those operating under special county acts and those under the common school act of 1846. It is impossible to ascertain what proportion of the townships in the latter group of counties had used their legal power to nullify the act of 1846 and thus take to themselves the power to control their funds in their own way. These counties are distinguished from those operating under special county acts by putting parentheses around the dates representing a period during which the act of 1846 was operative in each county that remained under that act after 1848.

In addition to the chief points of disagreement upon school laws among the counties that have been discussed, there are a few other topics touched upon now and then that deserve mention here. As to the question of licensing teachers and supervising schools there is little to be found in the special acts of the period. The tendency, apparently, was to trust to local trustees to determine the fitness of teachers, and little or no supervision was provided.<sup>1</sup>

There is also little in the legislation from 1846 to 1860 to indicate the curriculum of the common schools. As a rule the legislators assumed

<sup>1</sup> See chapter on administration and supervision, p. 113.



that it was generally understood what they meant by the "common English branches," or "the rudiments of an English education." The few cases in which the curriculum is mentioned more concretely indicate that there had been no change from the old formal course of the three R's, except that the addition of spelling and English grammar to the elementary curriculum was more generally recognized, and that geography was coming to be regarded as an elementary subject. The act of 1848, providing for a school system for seven counties, which has been referred to several times in this chapter, required teachers to be qualified to teach at least "reading, writing, and arithmetic," and provided that they might teach other subjects, not specified, provided they were examined in these additional subjects by the county superintendent and the fact of their competency in these additional subjects was written into their license. In an act passed in 1850 the legislature defined a common school as "a school for teaching reading, writing, arithmetic, and English grammar," but the act applied only to the county of Holmes.<sup>1</sup> In 1858 a slightly extended list of common school studies was given by the legislature, which curiously enough omitted arithmetic. The studies listed were "spelling, reading, writing, geography, and English grammar."<sup>2</sup>

#### LEGISLATION FOR TOWNSHIPS

We have considered thus far the legislation from 1848 to 1860 as it applied to counties and to groups of counties. It is necessary to consider briefly how this legislation affected the townships in respect to their sixteenth sections, and also to note a number of special acts for particular townships.

It will be recalled that when the common school system of 1846 was adopted the general management of the sixteenth sections and the sixteenth section funds was taken from the township trustees and given to the county commissioners. The act provided, however, that the income from any given sixteenth section or sixteenth section fund must be expended in the township to which the section or fund belonged.<sup>3</sup> This principle, it appears, was observed in all the legislation of the period which left the control of schools and school lands in the hands of county commissioners of education or boards of police. In all cases where the control of schools was returned to the township trustees, these trustees also resumed their authority over the township school lands

<sup>1</sup> Laws of Mississippi, 1850, p. 165.

<sup>2</sup> *Ibid.*, 1858, pp. 94-99.

<sup>3</sup> See p. 42 of this chapter.

or school funds. The act of 1833, permitting the leasing of school lands for ninety-nine years, was not repealed by the common school law in 1846,<sup>1</sup> nor was it changed materially by any of the special legislation that followed.<sup>2</sup>

There are several instances where the legislature indicates its responsiveness to local wishes in respect to schools either by exempting a township from the provisions of a general county act or by enacting a special act for a township. An act of March 3, 1850, extended the Holmes County school law to Yazoo County, but excepted township 12, range 2, west.<sup>3</sup> Similarly, townships 16, range 3, east, and 17, range 5, east, were excepted from laws applying to Warren County.<sup>4</sup> Township 6, range 2, west, in Hinds County and township 10, range 1, east, in Yazoo County were also favored with special acts. The act for the township in Hinds County, however, was repealed in 1856.<sup>5</sup> In all cases the effect of these special acts was to set up an independent township school or group of schools entirely under the authority of the township trustees. The two townships mentioned in Warren County were authorized to levy a special tax for the township schools, provided there should be a favorable vote in the referendum election required in the acts.<sup>6</sup> The act relative to township 17, range 5, east, contains the information that there were three schools maintained by the township.

#### SOME CAUSES OF THE DISSOLUTION OF THE COMMON SCHOOL SYSTEM

The breaking up of the common school system of Mississippi was brought about by several factors. In the first place, the legislature of 1846 was lukewarm over the project, and passed an act that could satisfy neither friend nor foe. Then in 1848 Governor Brown was sent to Congress, thus removing from state politics the strongest influence for the uniform system. Brown's term as governor expired in January, 1848, before the legislature passed any of its series of acts on common schools. A more fundamental factor in producing the dissolution of the

<sup>1</sup> Sec. 10 of the act made it the duty of the county commissioners to lease sections that had not been leased as then "directed by law." Laws of Mississippi, 1846, p. 100.

<sup>2</sup> Marion County is an exception to this statement. In 1857 an act "to amend the school laws of Marion County" limited the term for which school lands might be leased to twenty years. The following year, however, it was extended to one hundred years. Laws of Mississippi, 1857, pp. 115-19; 1858, p. 149.

<sup>3</sup> Laws of Mississippi, 1848, pp. 156.

<sup>4</sup> *Ibid.*, 1850, pp. 149, 159.

<sup>5</sup> *Ibid.*, 1854, pp. 260-61; 1856, p. 367; 1850, pp. 469-74.

<sup>6</sup> *Ibid.*, 1852, pp. 190-91; 1860, pp. 365-66.

state system was the lack of homogeneity among the counties of the state. There was considerable variation in the density of population and the wealth of the different counties and the different sections of the state.<sup>1</sup> In some counties there were villages and towns; in others, there were only the broad, spreading, cotton plantations, with perhaps a hamlet of a dozen homes clustered around the county court-house. The people of some counties evidently had advanced ideas concerning public education; those of other counties clung tenaciously to their preference for private schools, in which they were willing to have the children of the poor educated at public expense. Another important factor that militated against the uniform system was the intense democratic feeling of the state. There was prevalent that type of democracy that sets itself against any tendency toward the centralization of authority and strives to retain the greatest possible degree of power in the hands of local communities. Even so progressive a county as Warren, containing within its borders the town of Vicksburg, secured a special act from the legislature in 1850, in which it was declared:

It is the intention of this act to give the different townships full and entire control, through their five trustees so elected, to manage their schools in their own way.<sup>2</sup>

#### THE CHICKASAW COUNTIES

One source of opposition to a common school system, apparently, is to be found in the group of counties formed from the Chickasaw cession. The prevailing idea as to common schools in this group of counties was that the state had no rights or obligations in the premises other than to provide for the education of orphans and indigent children. The only common school act, if it is permissible to use the term to designate it, after 1850 that involved any large group of counties, was the act passed in 1856 to establish a uniform school policy for the counties of Tippah, Marshall, De Soto, Lafayette, Pontotoc, Itawamba, Tishomingo, Chickasaw, Oktibbeha, Calhoun, Choctaw, and Yalobusha, under the title, "An act to secure the interest on the school funds belonging to the counties embraced in the Chickasaw cession, and for other purposes."<sup>3</sup> The provisions of the act were extended in 1858 to the counties of Tallahatchie and Panola.<sup>4</sup> This act of 1856 provided that in the counties named the county school commissioners should employ the county school

<sup>1</sup> See Table II, chap. i.

<sup>2</sup> Laws of Mississippi, 1850 (Regular Session), p. 157.

<sup>3</sup> *Ibid.*, 1856, pp. 81-86.

<sup>4</sup> *Ibid.*, 1858, p. 133.



funds from escheats, fines, and the usual license fees, together with the county's pro rata of the interest from the Chickasaw fund, for paying the tuition of poor children, giving preference to destitute orphans.

The chief reasons for the failure of these counties to provide for common schools, supported wholly or in part at public expense, seem to lie in the character of the settlers and in the plan adopted by the federal government in its donation of public lands for school purposes in these counties. The Chickasaw lands were opened for settlement in 1836. A flood of immigrants from the South Atlantic states and Tennessee rapidly populated the new country, bringing with them the educational ideas of these states at that time. These people had no acquaintance with publicly supported free schools, or even with the Mississippi township school, partly supported by its sixteenth section, and frequently supplemented by other public funds.

The failure of the general government to reserve the sixteenth sections in the Chickasaw cession took away an incentive that might have done much to develop the ideal of the township public school in the counties carved from this cession. In lieu of the sixteenth sections, Congress granted to the state for the endowment of public education in the Chickasaw territory public lands within the state equal in area to one thirty-sixth of the area of the Chickasaw country.<sup>1</sup> Several years passed, however, before the lands were selected and accepted by the state.<sup>2</sup> In 1854 these lands were ordered sold by the state government and the sale was approved by Congress.<sup>3</sup> In 1856 the state borrowed the proceeds of the sale at 8 per cent, and ordered the interest prorated to the Chickasaw counties in proportion to their area.<sup>4</sup> Thus it was twenty years after the opening of this section of the state for settlement before the school lands brought in an appreciable income for educational purposes.

#### TOWN AND VILLAGE SCHOOLS

Mississippi had no cities within her borders prior to the Civil War. Natchez and Vicksburg were her largest towns. In both of these towns, and in several others, common schools were maintained either under provisions in the charter of the town or under special enactments of the legislature.

The earliest free school in the state was in a sense a township school, but was located in the town of Columbus and eventually became the

<sup>1</sup> *United States Statutes at Large*, V, 116.

<sup>2</sup> See further discussion of Chickasaw lands and fund, pp. 115-116.

<sup>3</sup> *Laws of Mississippi*, 1854, p. 348.

<sup>4</sup> *Ibid.*, 1856, p. 141.

city school. This little town was so fortunate from an educational standpoint as to be located partly on the sixteenth section of its township. The school land was divided into town lots and leased for ninety-nine years, a portion at a time as the town developed. With the proceeds a free school with both elementary and secondary courses has been maintained since 1821. The school was chartered as Franklin Academy.<sup>1</sup> After 1831 the trustees were elected annually by the qualified electors of the township.<sup>2</sup>

A free school has also been maintained in Jackson since 1845. Originally the school was the preparatory department of Jackson College and was for boys only. The charter of the college begins with a preamble explaining the origin of the school, which reads as follows:

Whereas, during the year 1845, a school was commenced in the city of Jackson, in which are taught the various branches of a collegiate education, under the superintendence of the governor and chief officers of the state, and the mayor and selectmen of the city, as the acknowledged visitors thereof, and by the liberality and active exertions of many of its citizens, all boys who are learning the elementary branches of an English education may be taught the same in the preparatory department in said school free of charge, etc.<sup>3</sup>

In 1846 the legislature donated to the city of Jackson certain lots for school purposes to be managed by a board of trustees consisting of seven citizens, who were required to erect thereon two substantial brick buildings to be known as the Jackson Male Academy and the Jackson Female Academy. These schools were to become free schools whenever the citizens and authorities should desire and should provide means for sustaining them.<sup>4</sup> Just when the city authorities assumed the responsibility of maintaining the schools has not been ascertained, but there is evidence that the town was maintaining a free school in 1850, and had for its principal a native Mississippian who had graduated from Harvard.<sup>5</sup>

Natchez was the oldest and largest town in Mississippi in the antebellum days, and had what was probably the best public free school. The citizens of the town established the school in 1845, and in the following year secured an amendment to the city charter, authorizing a tax levy not to exceed \$10,000 per annum for the support of the school.<sup>6</sup>

<sup>1</sup> Laws of Mississippi, 1821, pp. 73-75.

<sup>2</sup> *Ibid.*, 1831, p. 120.

<sup>3</sup> *Ibid.*, 1846, p. 419.

<sup>4</sup> *Ibid.*, 1846, p. 359.

<sup>5</sup> Timberlake, *op. cit.*, p. 79.

<sup>6</sup> Laws of Mississippi, 1846, pp. 279-80. In his report to Governor Brown in 1848 relative to the proposed state teachers' normal, Judge J. S. B. Thatcher gives the following interesting account of this school:

"On the fourth of July, 1845, the citizens of Natchez established a system of public schools for all the free white children over five years of age, within the limits

Vicksburg also had a flourishing school as early as 1848 with Dr. J. G. Holland, later editor of *Scribner's Magazine*, as principal.<sup>1</sup> The school was supported by a tax levy, authorized in 1848 by a special tax levy for the township in which the town was located.<sup>2</sup> Nominally the school was a township school, but was located in the town, and was generally looked upon as the school of the municipality. The tax levy for its support in 1849 amounted to \$5,000.<sup>3</sup>

That a common school was already established in the town of Woodville in 1850 is indicated by the act of the legislature passed in that year under the title, "An act to provide for the common school within the corporation of the town of Woodville." This act provided that all license fees from brokers and liquor retailers within the town should be appropriated "exclusively for common school purposes within said corporation of Woodville."<sup>4</sup>

The town of Shieldsborough, in Hancock County, in 1852 was given an independent school "system," with the president and select men of the town as a board of trustees. A fund for the support of the school was created by appropriating all funds arising within the town from licenses to saloons, billiard halls, hawkers, and peddlers. The president and selectmen were authorized to levy a school tax not to exceed 50 per cent of the state tax, whenever a majority of the freeholders should petition for it.<sup>5</sup> The tax was probably approved, for two years later an amendment to the act provided that the school should be free to all children over five and under eighteen years of age.<sup>6</sup>

For the other small towns of the state there was no special school legislation, except for the academies which were located in many of them.

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of the city. These schools are conducted by a board of seven visitors, a principal, and thirteen teachers, including a teacher of writing. The course of education embraces, besides the common branches, those of a higher order required for admission into the first universities of the Union. Since the commencement of the school there have been admitted 829 pupils, male and female, and 75 have been discharged to seek admission into colleges and counting houses, and to pursue trades and other avocations in life. The result of this experiment has been to fasten the system upon the affection of the people, and to induce them to ingraft into the charter of their corporation a provision requiring the annual levy, by taxation, of a sum not greater than \$10,000 for the support of this system of education. It is not hazarding too much to assert that these schools will compare favorably with any other public schools, or any academies of like grade, in the United States." House Journal, 1848, p. 41.

<sup>1</sup> Timberlake, *op. cit.*, p. 78.

<sup>4</sup> Laws of Mississippi, 1850, p. 131.

<sup>2</sup> Laws of Mississippi, 1848, pp. 196-98.

<sup>5</sup> *Ibid.*, 1852, pp. 486-90.

<sup>3</sup> Timberlake, *op. cit.*, p. 78.

<sup>6</sup> *Ibid.*, 1854, pp. 324-25.



These municipalities, apparently, were content to operate their common schools under the laws relative to their counties.

#### COMMON SCHOOL STATUS AT THE END OF THE PERIOD

Notwithstanding the handicap under which Mississippi labored both on account of her sparse population and on account of the disorganized condition of her educational affairs, noteworthy progress was made from 1850 to 1860. A state appropriation of \$300,000, which was distributed to the counties for common schools on conditions which required the raising of \$75,000 from county school levies within the counties receiving the state funds, must have given a considerable impetus to the schools.<sup>1</sup> According to the United States census of 1860 there were then in Mississippi 1,116 public schools with 1,215 teachers, and an annual income of \$385,679. Of this amount, the census report states that \$21,225 came from endowment, \$29,689 from school taxes, \$107,947 from public funds, and \$226, 818 from "other sources" not named.<sup>2</sup>

A more accurate conception of Mississippi's status from a common school standpoint can be obtained by a comparison with other states, such as is given in Table IV. The states of Illinois and Indiana were

TABLE IV  
COMPARATIVE STATUS OF COMMON SCHOOLS IN ILLINOIS, INDIANA, AND  
MISSISSIPPI IN 1860

Basis of Comparison	Illinois	Indiana	Mississippi
White children per 1,000 population in all schools.....	236	249	192
White children per 1,000 population in public schools .	253*	217	89
Public school income per 1,000 population.....	\$1,277	\$508	\$1,114
White illiterates over twenty years of age per 1,000 population.....	34	46	44

\* There is an evident discrepancy in the census figures for Illinois. More pupils are reported in the public schools than in all schools.

chosen because they represent the northwest and Mississippi the southwest, and because they were organized as American territory only eleven years earlier than Mississippi, and were admitted as states, one the year before and the other the year after Mississippi attained statehood. The figures in the table are based upon the United States census reports for 1860.<sup>3</sup> If these figures are at all accurate, Mississippi was expending

<sup>1</sup> See chapter XI on federal and state aid to education.

<sup>2</sup> *Census of the United States, The Eighth: 1860*, volume on "Population," p. 276, and on "Mortality and Miscellaneous," p. 506.

<sup>3</sup> Census Report, *op. cit.*

a reasonable sum on her public schools,<sup>1</sup> but was sending most of her boys and girls to private institutions or providing instructors in their homes. She was spending more than twice as much as Indiana, and nearly as much as Illinois, in proportion to white population for her public schools, but had little more than a third as many children in these schools. On the other hand, there were a considerably larger number enrolled in private schools than in the public schools. The smallness of Mississippi's total number of children enrolled in all schools is due in part to the habit wealthier planters had of employing a governess for the instruction of their smaller children in the home and of sending their older children out of the state for their education.<sup>2</sup> The figures given in the census reports are doubtless open to the charge of inaccuracy, but they are the most reliable that are available, and probably indicate in a general way the real situation.

<sup>1</sup> By public school is meant any unincorporated school wholly or partially supported by public funds.

<sup>2</sup> Rowland, *Encyclopedia of Mississippi History*, I, 963.

## CHAPTER VI

### SECONDARY EDUCATION FROM 1817 TO 1860. THE MISSISSIPPI ACADEMIES

#### THE INCORPORATION AND DISTRIBUTION OF ACADEMIES

Legislation relative to secondary education in Mississippi from 1817 to 1860 dealt chiefly with the incorporation of private academies and similar institutions of learning. Six of the academies incorporated while Mississippi was a territory were within the limits of the state. During the first thirteen years of statehood, a period of comparatively slow growth in white population, twenty-one additional academies were chartered, if we include Hancock College, an institution located in Shieldsborough and sometimes called Shieldsborough Academy.<sup>1</sup> The charter of Hancock College did not permit the granting of degrees or diplomas, and the institution was apparently an academy except in name.<sup>2</sup>

From 1831 to 1840, inclusive, there were incorporated sixty-one schools of secondary rank. This decade includes a period of unusual prosperity, known in state history as the "flush times,"<sup>3</sup> which was, however, brought to a sudden end by the panic of 1837. All but four of the schools receiving charters during this decade were called academies. The first departure from the name academy is found in the charter of the Vicksburg Institute of Science and Literature<sup>4</sup> in 1831. This was followed by the Judson Institute in 1836,<sup>5</sup> the Chulahoma College and Commercial Institute in 1839,<sup>6</sup> and the Woodville Classical School, also in 1839.<sup>7</sup>

When the panic of 1837 broke upon the state, it brought most serious economic distress, but nevertheless the incorporation of academies went on unchecked through the legislative sessions of 1839 and 1840. This apparent protraction of the "flush times" for the academies was

<sup>1</sup> Rowland, *Encyclopedia of Mississippi History*, I, 19.

<sup>2</sup> Poindexter, *Revised Code of Mississippi*, pp. 414-15.

<sup>3</sup> Baldwin, *The Flush Times of Alabama and Mississippi*.

<sup>4</sup> Laws of Mississippi, 1831, pp. 49-50.

<sup>5</sup> *Ibid.*, 1836, pp. 382-84.

<sup>6</sup> *Ibid.*, 1839, pp. 227-29.

<sup>7</sup> *Ibid.*, pp. 251-53.



probably due to an act passed in 1839 entitled, "An act for the benefit of education."<sup>1</sup> Under the provisions of this act "all fines, penalties, forfeitures, and amercements" assessed by any court in the state were appropriated to the support of academies. In twenty-two counties the beneficiaries were named in the act.<sup>2</sup> Usually in these counties one academy was chosen in each, but in a few counties the funds were distributed to two or more institutions. The act provided that in all other counties<sup>3</sup> than the twenty-two named the moneys arising from the sources designated should go to such academies and schools as the boards of police of the respective counties should select. It seems very probable that the support provided in this act was instrumental in increasing the number of academies incorporated in 1839 and 1840. In fact, eight of the academies named as beneficiaries of the act were incorporated at this same legislative session of 1839.<sup>4</sup> Several other academies that were given letters of incorporation in years immediately following contain a provision in their charters making them beneficiaries of the act in their respective counties.<sup>5</sup> How many other schools may have

<sup>1</sup> *Ibid.*, pp. 38-40.

<sup>2</sup> The twenty-two counties designated in the act and the beneficiaries therein were as follows: Attala, Kosciusko Female Academy; Claiborne, Port Gibson Academy; Clarke, Quitman Male and Female Academy; Copiah, Gallatin Female Academy; Covington, Mt. Carmel Male and Female Academy; De Soto, Hernando Male and Female Academy; Hinds, divided equally among the Raymond Female Academy and the academies at Clinton and Cayuga; Holmes, the male and female academy at Lexington; Jasper, Paulding Academy; Jefferson, Fayette Academy; Lafayette, divided equally among the Oxford Male and Female academies and the Wyatt Male and Female academies; Lauderdale, Marion Academy; Lawrence, Monticello Academy; Marshall, "to the university and female academy"; Newton, the Male and Female Academy; Noxubee, Macon Male and Female Academy; Oktibbeha, divided equally between the male and female academies; Pontotoc, the male and female academy in the town of Pontotoc; Rankin, "to the male and female academies"; Tippah, Ripley and Salem academies; Tishomingo, Farmington Academy; Wilkinson, the Woodville Classical School.

<sup>3</sup> These counties were as follows: Adams, Amite, Bolivar, Carroll, Chickasaw, Choctaw, Coahoma, Franklin, Greene, Hancock, Itawamba, Jackson, Jones, Kemper, Leake, Lowndes, Madison, Marion, Monroe, Neshoba, Panola, Perry, Pike, Scott, Simpson, Smith, Tallahatchie, Tunica, Warren, Washington, Wayne, Winston, Yalobusha, and Yazoo. The legislature, however, designated the beneficiaries of the act in Choctaw and Marion counties in 1840, and in Smith in 1843. For references see footnote 3 below.

<sup>4</sup> These were the Female Academy of Holly Springs, Farmington Academy, the Wyatt academies, "The University" at Holly Springs, Woodville Classical School, and Macon Academy.

<sup>5</sup> Laws of Mississippi, 1840, pp. 157, 223; 1841, p. 248; 1843, p. 94; 1844, p. 254.

been incorporated with the expectation of becoming beneficiaries of the act through their county boards of police cannot be determined.<sup>1</sup>

During the decade from 1841 to 1850 the number of charters granted to secondary schools dropped to thirty-one. Apparently the incentive furnished by the act of 1839 had ceased to operate in the establishment of new academies. The funds arising under this act probably had all been disposed of by this time to institutions already existing. As a consequence, the effect of the "hard times" became operative during the early years of the decade. The number of charters for the biennial period of 1841-42 was only four, and for the succeeding biennial period was six.

In 1846 the revenue appropriated to academies by the act of 1839 "for the benefit of education"<sup>2</sup> was transferred to the common schools, but prosperity had returned to the state, and the academies appear to have suffered no ill effects. The number of charters granted increased to eight in 1846, and would probably have gone higher in 1848 and 1850 had not the legislature delegated the power to incorporate schools under certain conditions to the county probate clerks. This act, which was approved February 10, 1848, provided that any literary, benevolent, or Christian society, or any school or academy of learning might receive the usual corporate powers whenever it should organize, elect officers, and have recorded in the office of the probate clerk of its county the name and style of the organization.<sup>3</sup> Such corporations were permitted to hold not more than \$25,000 worth of property, real and personal.

After the passage of this act it would seem that the legislature should have found it necessary to devote its time only to charters for those schools whose ambitions could not be satisfied with a property limit of \$25,000 and for those which sought some special privilege not granted in the general act. A study of the charters of the next few years confirms this inference. Most of the charters of the next two or three legislative sessions following the passage of this act authorize the holding of property without limit, or fix the limit at figures ranging

<sup>1</sup> See footnote 2, p. 63.

<sup>2</sup> See p. 63.

<sup>3</sup> Laws of Mississippi, 1848, pp. 103-4. The *Revised Code* of 1857 modified this act so that such charters might be granted by the governor of the state, upon the advice of the attorney-general, instead of through the probate clerks. The property limit for educational institutions was raised to \$50,000. *Revised Code* of 1857, pp. 290-92.

from \$30,000 to \$100,000. Where charters are granted with a property limit of \$25,000 or less, there can be found, usually, a clause granting some special privilege not provided by the general act of 1848. Most frequently these special privileges were the following: exemption from taxation; the right to use the sixteenth section fund of the township or to participate in the common school fund of the county; and the prohibition of the sale of vinous and spirituous liquors in the vicinity of the school.

The general prosperity of the state during the decade from 1851 to 1860 should have brought about a large increase in the number of secondary schools. As a matter of fact, however, the legislature granted charters to only forty-eight, and the governor to nine others,<sup>1</sup> making the total for the decade fifty-seven. How many other small academies may have received the rights of corporate bodies through the county probate clerks cannot be conjectured.<sup>2</sup> It is probable that this means of securing corporate privileges was an important factor in keeping the number of legislative charters in bounds.

After 1850 the name academy is no longer regularly employed for secondary institutions, its place having been taken by a diversity of names. Of the fifty-seven new secondary institutions of whose incorporation we have record from 1851 to 1860, there were 22 academies, 21 institutes, 9 seminaries, 4 high schools, and 1 designated in its charter simply as "Wilson Hall."<sup>3</sup>

What has been said in the preceding paragraphs about the number and character of the secondary schools incorporated during the period of this study is summarized in Table V. The total number of charters

<sup>1</sup> The academies which received their charters from the governor are indicated by a star in the list of academies on pp. 66-70. It will be observed that after this power was transferred from the probate clerks to the governor exactly half of the charters granted to academies were secured in this way.

<sup>2</sup> The records of such incorporations, if preserved, would be at the court-houses of the sixty counties of that day. In many cases court-houses have been burned, and it is probable that very few, if any, have a record of charters granted from 1848 to 1857.

<sup>3</sup> Many of these institutes and seminaries were girls' boarding schools, which advertised higher curricula than the ordinary secondary school of the time, and might properly be considered junior colleges. They almost invariably had the power to confer diplomas and degrees, but this power during the fifties was occasionally given to secondary schools, not only in Mississippi, but in other western states. See abstracts of charters in Appendix A and compare charters of Masonic and Odd Fellows High School (1852), Byhalia Male Academy (1856), and Wilson Hall (1860).



granted to such institutions throughout the period of this study, excluding those which were clearly designed to be of college rank, was 179. This number includes only those which received letters of incorporation from the legislature or the governor. The newspaper files of the period

TABLE V\*

## SECONDARY SCHOOLS INCORPORATED IN MISSISSIPPI FROM 1807 TO 1860

Period	1807-16	1817-30	1831-40	1841-50	1851-60	Total
Academies.....	8	21	57	23	22	131
Institutes.....			3	3	21	27
Seminaries.....				1	9	10
High schools.....				1	4	5
Miscellaneous.....		1	1	3	1	6
Total.....	8	22	61	31	57	179

\* The figures do not show the full number of secondary schools founded in Mississippi. In addition to those which were incorporated by county probate clerks and not included here there were others which were never incorporated.

reveal the existence of many other academies and private schools doing secondary work which were never recognized by legislative enactment. The complete list of the 179 chartered secondary schools, with the county in which each was located and the date of its incorporation follows:

## MISSISSIPPI SECONDARY SCHOOLS FROM 1807 TO 1860

Franklin Society, Jefferson.....	1807
Madison Academy, Claiborne.....	1809
Washington Academy, Washington (Alabama).....	1811
Greene Academy, Madison (Alabama).....	1812
Jackson Academy, Wilkinson.....	1814
Amite Academy, Amite.....	1815
Pinckneyville Academy, Wilkinson.....	1815
Wilkinson Academy, Wilkinson.....	1815
Hancock College, Hancock.....	1818
Elizabeth Female Academy, Adams.....	1819
Beach Hill Academy, Jefferson.....	1819
Pearl River Academy, Lawrence.....	1819
Natchez Academy, Adams.....	1819
Wilkinson Female Academy, Wilkinson.....	1819
Columbian Academy, Marion.....	1820
Franklin Academy, Monroe (now in Lowndes).....	1821
Sligo Academy, Wilkinson.....	1821

Centre Academy, Claiborne.....	1823
Flower Hill Academy.....	1825
Pinckneyville Academy, Wilkinson.....	1826
Hampstead Academy, Hinds.....	1826
Clinton Academy, Claiborne.....	1826
Fayette Academy, Jefferson.....	1827
Westville Academy, Simpson.....	1827
Rutledge Academy, Copiah.....	1828
Benton Academy, Yazoo.....	1829
Pearl River Academy, Rankin.....	1829
Marion Academy, Wilkinson.....	1830
Natchez Academy, Adams.....	1830
Hampden Academy, Hinds.....	1830
Vicksburg Institute of Science and Literature, Warren.....	1831
Meridian Springs Academy, Hinds.....	1831
Yazoo Academy, Yazoo.....	1833
Hickory Springs Academy, Holmes.....	1833
Brandon Academy, Wilkinson.....	1833
Pearl River Academy, Madison.....	1833
Spring Ridge Academy, Madison.....	1833
Gallatin Female Academy, Copiah.....	1833
Richlands Academy, Carroll.....	1836
Madisonville Male Academy, Madison.....	1836
Madisonville Female Academy, Madison.....	1836
Judson Institute, Hinds (moved to Carroll in 1840).....	1836
Paulding Academy, Jasper.....	1836
Monticello Academy, Lawrence.....	1836
Carrollton Academy, Carroll.....	1836
Gallatin Male Academy, Copiah.....	1836
Washington Irving Academy, Holmes.....	1836
Franklin Female Academy, Holmes.....	1836
Canton Female Academy, Madison.....	1836
An Academy, Wilkinson.....	1836
Marion Academy, Lauderdale.....	1837
Lane Academy, Warren.....	1837
Lewisville Academy, Winston.....	1837
Hernando Academy, De Soto.....	1837
Greensboro Male and Female academies (2), Choctaw <sup>1</sup> .....	1837
Sharon Female Academy, Madison.....	1837
Pinckney Academy, Newton.....	1837
Mount Carmel Male and Female Academy, Covington.....	1837

<sup>1</sup> Two academies incorporated in one act and with the same board of trustees. Reincorporated and made beneficiaries of act of 1839 for the benefit of education in 1840. Laws of Mississippi, 1840, pp. 157-59.

Colbert Male and Female Academy, Lowndes .....	1838
Pontotoc Female Academy, Pontotoc .....	1838
Oxford Male Academy, Lafayette .....	1838
Oxford Female Academy, Lafayette .....	1838
Tuscahoma Academy, Tallahatchie .....	1838
Coffeeville Male and Female Academy, Yalobusha .....	1839
Cayuga, Hinds (act for benefit; not incorporated) .....	1839
Holly Springs Female Academy, Marshall .....	1839
Chulahoma Female Academy, Marshall .....	1839
Farmington Academy, Tishomingo .....	1839
Wyatt Male Academy, Lafayette .....	1839
Wyatt Female Academy, Lafayette .....	1839
Wahalak Female Academy, Kemper .....	1839
Oak Hill Academy, Copiah .....	1839
Chulahoma College and Commercial Institute, Marshall .....	1839
DeKalb Male and Female Academy, Kemper .....	1839
Woodville Classical School, Wilkinson .....	1839
Macon Male and Female Academy, Noxubee .....	1839
Mount Pleasant Academy, Male and Female, Noxubee .....	1839
Shugualak Academy, Male and Female, Noxubee .....	1839
Plymouth Male and Female Academy, Lowndes .....	1839
Emery Academy, Holmes .....	1839
Grenada Male and Female academies, Yalobusha .....	1839
Gallatin Academy, Copiah .....	1840
Vicksburg Female Academy, Warren .....	1840
Almucha Academy, Lauderdale .....	1840
Thickwoods Academy, Amite .....	1840
Woodville Female Academy, Wilkinson .....	1840
Constantine Male and Female Academy, Noxubee .....	1840
Rienzi Academy, Tishomingo .....	1840
Columbia Academy, Marion .....	1840
Williamsburg Male and Female Academy, Covington .....	1841
Oakland Male and Female Academy, Yalobusha .....	1841
Wahalak Male Academy, Kemper .....	1841
Commerce Male and Female Academy, Tunica .....	1841
Marion Male and Female Academy, Lauderdale .....	1842
Aberdeen Male Academy, Monroe .....	1843
Raleigh Academy, Smith .....	1843
Friendship Male Academy, Panola .....	1844
Decatur Male and Female Academy, Newton .....	1844
Houston Male and Female Academy, Chickasaw .....	1844
Lexington Male and Female Academy, Holmes .....	1844
St. Thomas' Hall, Marshall .....	1846
Jackson Male Academy, Hinds .....	1846



Jackson Female Academy, Hinds . . . . .	1846
Zion Seminary, Covington . . . . .	1846
Pontotoc Male Academy, Pontotoc . . . . .	1846
Aberdeen Female Academy, Monroe . . . . .	1846
Black Hawk Male Academy, Carroll . . . . .	1846
Black Hawk Female Academy, Carroll . . . . .	1846
Macon Female Institute, Noxubee . . . . .	1848
Canton Male Academy, Madison . . . . .	1848
Raymond Female Institute, Hinds . . . . .	1848
Columbus Female Institute, Lowndes . . . . .	1848
Enterprise Academy, Clarke . . . . .	1848
Pleasant Hill Male and Female Academy, Jasper . . . . .	1848
Pearl River Female Academy, Madison . . . . .	1850
Polkville Male and Female Academy, Smith . . . . .	1850
Almucha Academy, Lauderdale . . . . .	1850
Kemper College, Kemper . . . . .	1850
Salem High School, Greene . . . . .	1850
Yazoo Classical Hall, Yazoo . . . . .	1850
Euclid Male and Female Academy, Tishomingo . . . . .	1850
Choctaw Collegiate Institute, Noxubee . . . . .	1852
Maple Spring Male Academy, Tippah . . . . .	1852
Masonic and Odd Fellows High School, Choctaw . . . . .	1852
Bascom Female Seminary, Yalobusha . . . . .	1852
Pleasant Ridge Male and Female Academy, Tippah . . . . .	1852
Middleton Female Seminary, Carroll . . . . .	1852
Greenwood Female Institute, Jasper . . . . .	1852
Southern Scientific Institute, Claiborne . . . . .	1852
Simpson Male and Female Seminary, Simpson . . . . .	1852
Collegiate High School of the I. O. O. F., Lowndes . . . . .	1852
Newton Institute, Wilkinson . . . . .	1852
Cold Water Baptist Female Seminary, Marshall . . . . .	1852
Yalobusha Baptist Female Institute, Yalobusha . . . . .	1852
Enon High School, Perry . . . . .	1852
Canton Female Institute, Madison . . . . .	1852
Presbyterian Female Collegiate Institute, Pontotoc . . . . .	1852
Crawfordsville Male Institute, Lowndes . . . . .	1852
Crawfordsville Female Institute, Lowndes . . . . .	1852
Coffeeville Female Institute, Yalobusha . . . . .	1855
Hill City Collegiate Institute, Warren . . . . .	1854
Central Female Institute, Hinds . . . . .	1854
Byhalia Female Institute, Marshall . . . . .	1854
Red Banks Female Seminary, Marshall . . . . .	1854
Friendship Academy, Panola . . . . .	1854
Octograde Seminary, Yalobusha . . . . .	1854

Good Hope Academy, Leake.....	1854
Port Gibson Collegiate Academy, Claiborne.....	1854
Union Seminary, De Soto.....	1854
Monroe Female Institute, Monroe.....	1854
Westminster Academy, Tippah.....	1854
Calhoun Institute, Madison.....	1856
Oak Bowery Academy.....	1856
East Port Female Institute, Tishomingo.....	1856
Byhalia Male Academy, Marshall.....	1856
Amite Female Seminary, Amite.....	1856
Okolona Female Institute, Chickasaw.....	1856
Okolona Male Academy, Chickasaw.....	1856
Canaan Male and Female Academy, Tippah.....	1856
Fayette Female Academy, Jefferson.....	1857
Summerville Institute and Female Seminary, Noxubee (act for benefit; not incorporated).....	1858
*Spring Ridge Female Seminary, Hinds.....	1858
*Central Academy, Madison.....	1859
*Hillsboro Male and Female Academy, Scott.....	1859
*Iuka Female Institute, Tishomingo.....	1859
*Westville Seminary, Simpson.....	1859
*Rose Hill Male and Female Academy, Jasper.....	1859
Vernal Male and Female Academy, Greene.....	1860
Wilson Hall, Marshall.....	1860
Aberdeen Masonic Male High School, Monroe.....	1860
Amite County Female Academy, Amite.....	1860
Willard Male Academy, De Soto.....	1860
Willard Female Academy, De Soto.....	1860
Masonic Female Seminary, Marshall.....	1860
Brandon State Military Institute, Rankin <sup>1</sup> .....	1860
*Bethany Male and Female Institute, Amite.....	1860
*Hazlehurst Male and Female Institute, Copiah.....	1860
*Richland Male and Female Academy, Rankin.....	1860

\* Institutions whose names are preceded by a star received their charters from the governor, under chap. xxxv, sec. 1, of the *Revised Code* of 1857, pp. 290-91.

The attention of the reader has been called in chapter i to the fact that the real history of Mississippi from 1798 to 1840 is the story of the development successively of new lands acquired from the Indian tribes.<sup>2</sup> In a sense this process continued until the outbreak of the Civil War, for the last decade was a continuation of the development of the Chickasaw cession. It is interesting to note how the incorporation and distribution of the academies of the state followed the historical development

<sup>1</sup> See pp. 99-100 for discussion of this school.

<sup>2</sup> See chap. i, p. 4.

of the different sections. In Table VI the historical sections of the state are listed in the order in which they became a part of the territory or state, and the number of academies incorporated in each section is shown for each decade. For the sake of convenience the first period after the admission of the state to the Union is made to cover thirteen years instead of ten.

It will be observed that twenty-four of the thirty-two charters granted in the Natchez district were given before the close of 1840. The Choctaw purchase of 1805, which developed very slowly until the latter years of the nineteenth century, incorporated only ten academies, distributed over a period of forty years. The coast counties, the Florida annexation, where the French established their first southwestern colony in 1699, had prior to 1860 only one chartered school.

TABLE VI  
DISTRIBUTION OF SECONDARY SCHOOLS BY HISTORICAL SECTIONS

Section	1807-16	1817-30	1831-40	1841-50	1851-60	Total
Natchez District.....	6	11	7	8	32	
Choctaw Cession, 1805.....	2	2	3	3	10	
Florida Annexation, 1812.....	1	1	.....	.....	1	
Chickasaw Purchase, 1816.....	1	1	4	3	9	
Choctaw Cession, 1820.....	6	24	6	10	46	
Choctaw Cession, 1830.....	.....	16	13	15	44	
Chickasaw Cession, 1832.....	.....	11	5	19	35	
Undetermined.....	.....	1	.....	1	2	

On the other hand we may read from the figures of the table the story of the rapid development between 1830 and 1840 of the central counties of the state, which were carved out of the second Choctaw cession. The story of the thirty years of steady growth of the counties of north and east Mississippi is indicated in the figures given for the third Choctaw cession and the Chickasaw cession.<sup>1</sup>

#### ANALYSIS OF SECONDARY-SCHOOL CHARTERS

The usual type of secondary institution to which charters were granted was the academy governed by a self-perpetuating board of trustees. There were, however, during the latter half of the period covered in this study a number of academies supported by stock companies, which elected annually a board of trustees to govern their schools. In a few instances after 1850 there were academies whose charters provided that the trustees should be elected by the patrons of the school,<sup>2</sup> or the qualified electors of the township or the village in

<sup>1</sup> The territorial area of these different sections is shown on the map in chap. i, p. 5.

<sup>2</sup> For instance Westminster Academy, Laws of Mississippi, 1854, pp. 429-30.



which the school was located.<sup>1</sup> These latter schools received support from public funds of one kind or another. There were also a few secondary schools supported by religious denominations, whose trustees were elected at stated intervals by representative bodies of the supporting denominations. A few schools, also, were incorporated after 1850 by fraternal societies—the Masons and the Odd Fellows—which governed the school through boards of their own selection. The self-perpetuating board, however, was the prevailing plan of organization for secondary schools throughout the entire period that is under investigation.

The powers given to the boards of trustees almost universally were (1) to receive and hold real and personal property for the use of the institutions; (2) to sue and be sued; (3) to make regulations for their own government and the government of the school; and (4) to employ the president or principal and other necessary teachers. In some instances the trustees might dismiss teachers at pleasure, and, less often, for malconduct and inefficiency. The earlier charters provided that trustees might receive donations and legacies, but this clause was usually omitted from later charters. In a few instances trustees were "to ordain the course of study," but as a rule the charters contained no reference to the curriculum. Occasionally a charter may be found which required the trustees to examine the qualifications of the teachers. Very commonly it was made the duty of the trustees to visit the schools at stated intervals and to examine the proficiency of the students. In some cases they were authorized to delegate this duty to "visitors," whom they should appoint for the purpose. After 1850 it is not unusual to find charters in which the trustees were authorized to grant diplomas, and sometimes to confer degrees, but these powers were usually confined to female "institutes" and "seminaries." There are a few instances, however, of academies being authorized to confer degrees.<sup>2</sup>

As a general rule the charters make no provision for the support of the institutions they incorporate. The exceptions to this rule will be discussed in chapter xi. In the absence of other means of support it is evident that tuition fees must have been the main dependence, but only a few charters specifically authorize the trustees to fix rates. That this power was implied and usually exercised is indicated in numbers of advertisements of academies found in the newspaper files of the period.<sup>3</sup> The charters of a considerable number of schools indicate

<sup>1</sup> Laws of Mississippi, 1854, p. 394.

<sup>2</sup> See footnote 3, p. 65.

<sup>3</sup> See advertisements in *The Mississippian*, September 4, 1825.

that they were supported on the subscription plan, and the powers and liabilities of the subscribers to such institutions are carefully prescribed.<sup>1</sup>

Aside from the provisions contained in the charters mentioned thus far there were numerous other miscellaneous provisions that appear in a few charters. Some of these are given below, being paraphrased in most cases for the sake of brevity:

The governor of the state shall fill vacancies on the board of trustees.

The charter may be amended or rescinded at the will of the legislature.

Trustees shall provide equal rights and privileges for students of all religious denominations.

There shall be at least one teacher to each twenty-five pupils.

Trustees shall employ the principal only, who shall select his own assistants.

The faculty shall make regulations for the government of the institution.

Trustees may determine the mode of electing their own successors.

Trustees may select a site and erect the necessary buildings.

Trustees shall establish "terms, vacations, and tuition fees."

Trustees may collect all debts and dues.

Trustees shall fix salaries (in three charters).

Trustees shall pay salaries (in two charters).

Trustees shall lease annually the sixteenth section on which the academy is located.

Trustees may control the funds arising from the sixteenth section of the township for the use of the academy.

It is a significant fact that most of the academies incorporated after 1830 bore the name of villages and towns rather than the names of counties or national heroes, as had been the earlier custom. For instance, in the year 1836 the following academies were incorporated, each bearing the name of the village in which it was located: Richland, Paulding, Monticello, Carrollton, Lewisville, Hernando, Greensboro, Gallatin Male, Franklin Female, Canton Female, Pinckney, and Mount Carmel. In the same year Pearl River Academy at Brandon had its name changed to Brandon Academy, and Hampden Academy at Raymond became Raymond Academy. It appears that the villages and towns which sprang up or awoke to new life during the "flush times" were establishing these schools primarily for the village children. Some of the academies of the "thirties" and even later, however, were essentially boarding schools, and some of them during the next decade were

<sup>1</sup> See abstracts of charters in Appendix A.

county institutions, to the extent of receiving aid from the county treasuries upon the appropriation of the state.<sup>1</sup>

#### INFLUENCE OF RELIGIOUS DENOMINATIONS

The influence of religious denominations in the incorporation of secondary schools was remarkably slight. There are only twelve charters which provide for any control of the institution by a religious body, and in two of these the authority of the church is limited to the appointment of visitors.<sup>2</sup> There are three other early charters that incorporate jointly an "academy and meeting-house," but no clearly defined authority of the church over the academy is revealed in these charters.<sup>3</sup> Probably the only relation was that the boards of trustees (which were self-perpetuating) were made up of members of the associated churches. Of the twelve institutions which were clearly under denominational control six were Baptist, three Methodist, two Presbyterian, and one Episcopal. There were also a few other institutions, which were under private control, but were closely affiliated with religious denominations through the denominational relations of their owners, trustees, and faculties. Their charters, however, contained no reference to any religious authority, and their boards of trustees were usually self-perpetuating.

The paucity of denominational secondary schools was not due to any lack of religious or sectarian interest. There is abundant evidence that the people of the state were rather strong sectarians. But in school matters they apparently wished to lay aside their religious differences and work in harmony for the education of their youth. A number of charters contain the injunction that the trustees "shall take effectual care that students of all denominations be admitted to equal advantages," and "receive a like fair and generous treatment."<sup>4</sup>

#### SECONDARY SCHOOLS FOR GIRLS

From the early territorial days, the education of girls was a matter of keen interest to the people of Mississippi. The first school of which we have any record was a private school for girls established by Rev. David Ker at Natchez in 1801.<sup>5</sup> The charters given to the academies

<sup>1</sup> Under act of 1839. See pp. 62-63. .

<sup>2</sup> Laws of Mississippi, 1856, pp. 317-18; 1857, pp. 88-90.

<sup>3</sup> Beach Hill Academy and Methodist Meeting House, 1819; Centre Academy and Meeting House, 1823; Almucha Academy and Free Church, 1840.

<sup>4</sup> See summaries of charters of early academies in Appendix A.

<sup>5</sup> Rowland, *op. cit.*, p. 19.



during the territorial period contain no reference to sex. It must be inferred that none were exclusively for females, but some may have been coeducational. The first chartered girls' school in the state was Elizabeth Female Academy, which was established at Natchez as property of the Mississippi Methodist Conference in 1818 and was given a charter in 1819.<sup>1</sup> The charter permitted the ownership of property to the amount of \$100,000, which was much higher than the usual property limit for academies at that time.<sup>2</sup> Wilkinson Female Academy, which was incorporated at the same meeting of the general assembly, was restricted to the possession of not more than \$10,000 worth of real estate and \$30,000 of personal property.<sup>3</sup>

A period of fourteen years elapsed after the incorporation of these two academies before a charter was given to another school designed specifically for girls. Nothing in the charters granted during these fourteen years indicates whether the academies incorporated were for males only or for both sexes. From other sources we have evidence that there were some of each kind. Pearl River Academy at Brandon, for instance, which was incorporated in 1829, was advertising four years before it secured its charter that it had a female department in a separate building.<sup>4</sup> Port Gibson Academy, on the other hand, was chartered in 1836, but did not establish a female department until thirty years later.<sup>5</sup>

In 1833 the Gallatin Female Academy was added to the list of incorporated female schools,<sup>6</sup> and in 1836 charters were granted to three others.<sup>7</sup> About this time the custom of designating the coeducational schools as "male and female academies" began, and a large number of charters were granted to such institutions during the two decades following. These "male and female" academies usually bore the name of the town in which they were located, indicating the tendency

<sup>1</sup> MS Laws of Mississippi, Mississippi State Archives, Series I, No. 2.

<sup>2</sup> This academy has been called a "college except in name," and "the mother of female colleges in the United States." See Blandin, *History of Higher Education of Women in the South Prior to 1860*, pp. 43-48, and Galloway, "Elizabeth Female Academy—The Mother of Female Colleges," *Publications of the Mississippi Historical Society*, II, 169-78.

<sup>3</sup> MS Laws of Mississippi, Mississippi State Archives, Series I, No. 2.

<sup>4</sup> *The Mississippian*, Jackson, September 4, 1825.

<sup>5</sup> Laws of Mississippi, 1858, p. 121.

<sup>6</sup> *Ibid.*, 1833, Mississippi State Archives, Series I, No. 19.

<sup>7</sup> *Ibid.*, 1836, pp. 380, 393, 396.

of these towns to establish each for itself a local academy for the education of the children of both sexes. Many communities, however, preferred separate institutions for the sexes. Often in a single legislative act a male academy and a female academy were incorporated for the same town, sometimes both under the control of the same board of trustees.

During the decade from 1850 to 1860 many letters of incorporation were granted to boarding schools for girls, both of secondary and higher rank. It is often difficult to determine whether a given school should be classed as of secondary or college grade. Many of them bore the name "female institute" or "female seminary." They were usually given the power to grant diplomas and degrees. Practically all of them

TABLE VII  
EDUCATIONAL INSTITUTIONS CHARTERED FROM 1850 TO 1860

Rank	Male	Female	Co-educational or Undetermined	Total
Colleges.....	3	13	4	20
Seminaries.....		6	3	9
Institutes.....	3	13	5	21
Institutes and seminaries.....		1	.....	1
Academies and high schools*.....	7	5	19	31
Total.....	13	38	31	82

\* A few miscellaneous names are included with the academies and high schools.

gave a secondary course, and a great many gave little more. The large proportion of "female schools" incorporated from 1850 to 1860 is shown in Table VII.

#### CURRICULA OF THE ACADEMIES

There is nothing in the charters granted to Mississippi academies to indicate clearly the curricula of these schools. A few charters authorize the boards of trustees to "ordain the course of study," but this function is usually left by implication to the faculties, with no suggestion from the state as to what the curriculum should contain.<sup>1</sup> The distinction

<sup>1</sup> The newspaper files of the period give much more information as to the curricula of the academies than the statutes. From the *Mississippi Messenger* of August 19, 1806, we learn that the curriculum of the first academy incorporated in Mississippi included English grammar, bookkeeping, geography, mathematics, Latin, and Greek. An advertisement of the Pearl River Academy of Rankin County in *The Mississippian* of September 4, 1825, indicates little change in secondary curriculum during the nineteen years. In its elementary department there was taught reading, writing, and arithmetic; and in the secondary department, English grammar, geography, logic,

drawn in 1821 as to requirements for license to teach in the common schools and in the academies indicates the chief difference in the minds of the legislators of that time between the academy and the common school. In addition to the common school subjects, teachers in academies were required to be qualified to teach Latin and Greek.<sup>1</sup>

#### STATUS OF SECONDARY EDUCATION IN 1850

Perhaps the most satisfactory method of forming an adequate conception of the status of secondary education in Mississippi during the closing years of the period covered in this study is to compare the situation in this state with that in other states. For this comparison the states of Illinois and Indiana have been chosen for the reasons set forth in the preceding chapter, and the statistics are presented concisely in Table VIII. The figures are for the year 1850, which was selected in preference to 1860 because it is generally accepted as marking the high tide of the academy movement in the nation and because conditions were more normal than on the eve of the Civil War. This early selection makes it necessary to leave out of consideration, on the one hand, the high schools organized in the two northern states during the decade following 1850, and on the other hand, the large number of private institutions incorporated after that date in Mississippi, as

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natural philosophy, and "Languages." Ten years later the Pontotoc Academy advertised in the same paper (September 18, 1935) the following course of study, naming the textbooks used in each of its three departments:

First class: Murray's *Spelling Book*, *Introduction*, *English Reader*, and *Small Grammar*; Pike's *Arithmetic*.

Second class: Murray's *Large Grammar*; Goodrich's *Geography*; Grimshaw's *History of the United States, England, France, Rome, and Greece*; Kirkman's *Elocution*; Clanes' *Philosophy and Chemistry*.

Third class: *Historia Sacrae*; Aesop's *Latin Fables*; Caesar, Sallust, Ovid, Vergil, Horace, Hervine, Cicero, Juvenal, Perseus; Blair's *Lectures*; Parley's *Philosophy*; Hutton's *Mathematicks*; West Point System of Surveying; Vince's *Conic Sections*; Carvallo's *Philosophy*; Greek Grammar, New Testament, Greece Minora, Greece Majora, Homer; French.

It is interesting to compare with this extended curriculum the simple entrance requirements of Jefferson College as advertised in the *Natchez Weekly Courier and Journal* of January 1, 1837. The advertisement states that entering students "must have read Vergil and Sallust and be acquainted with geography and arithmetic to the Rule of Three." Apparently some knowledge of Greek was also presumed, for the same advertisement states that freshmen were required to "review" Greek and Latin grammar during the first semester.

<sup>1</sup> See chapter on administration and supervision, p. 113.



shown in Table VII. The figures of Table VIII, except those in the last column are from the United States census report. The last column contains estimates made by Henry Barnard by adding to the census figures the statistics for schools which failed to make returns to the census bureau.<sup>1</sup>

The table indicates that Mississippi, with about one-third the white population of either of the two northwestern states, was supporting a larger number of secondary schools, had a larger number of students attending such schools, employed more teachers, and was expending more money upon her secondary schools than either of the other two states. Indeed, if Barnard's estimates can be trusted, Mississippi was expending on her academies twice as much as Indiana and almost three times as much as Illinois.

TABLE VIII  
STATUS OF SECONDARY SCHOOLS IN THREE STATES IN 1850

States	White Population	Schools	Teachers	Pupils	Income (Returns)	Income (Estimated)
Illinois.....	846,034	83	160	4,244	\$40,488	\$ 47,678
Indiana.....	977,718	131	233	6,185	63,520	73,219
Mississippi.....	295,718	171	297	6,628	73,717	144,732

The flourishing condition of Mississippi's secondary schools was due in part to the industrial and economic conditions. The isolation of large plantations with their throngs of slaves made it difficult to locate common schools so that they could be attended conveniently by the children from these large estates. The state as a whole was in excellent financial condition during almost all of the sixty years covered by this study. The towns which grew up in the thirties and forties were well able to maintain their own academies. The masters of the plantations were men of wealth and could well afford to pay the small tuition and moderate price for board necessary to keep their children in those academies which were essentially boarding schools. In many cases these plantation owners had come to Mississippi during the "flush times" from Virginia, the Carolinas, Georgia, and Tennessee, and had brought with them the aristocratic prejudices of the earlier southern states. In their minds the common schools were for the children of the poor and of the artisans, mechanics, professional and business men of the villages, but for their own children they desired the more exclusive atmosphere of the private institution.

<sup>1</sup> Barnard, *The American Journal of Education*, I (1856), 368.

## CHAPTER VII

### HIGHER EDUCATION IN MISSISSIPPI FROM 1817 TO 1860

#### THE SEMINARY LANDS

On February 20, 1819, an act of Congress became effective which provided that in addition to the township of land granted for the support of Jefferson College there should be granted in the state of Mississippi another township, or a quantity of land equal thereto, for "the support of a seminary of learning." The lands were to be located by the secretary of the treasury of the United States in tracts of not less than four entire sections each, and were to be vested "in the legislature of the said state, in trust."<sup>1</sup> In 1821 the general assembly of the state passed an act requiring the governor to obtain information as to "the most suitable township in the recent Choctaw cession," to locate the whole or a part of the thirty-six sections, and authorizing him to appoint persons to explore the territory for this purpose.<sup>2</sup> Lands satisfactory to the state and national governments were finally selected in 1823.<sup>3</sup>

In 1825 the state adopted the policy of leasing the seminary lands for short periods. The state auditor was authorized and required to lease the unimproved lands for a term of four years, with the proviso that the lessee should preserve the timber from waste and should clear twenty acres to each quarter section leased, fence it, and build a cabin thereon.<sup>4</sup> In 1827 the auditor was authorized to renew the leases when they expired and to bring suit against lessees who had not paid their rents.<sup>5</sup> This act also required that notice of the leasing of the lands should be published, and that the lands should be let to the highest bidder. A supplementary act was passed in 1830 under which the auditor was authorized to lease improved seminary lands, as the leases expired, to the highest bidders, and to continue to let unimproved lands under the terms provided in the act of 1825.<sup>6</sup> The rents from

<sup>1</sup> *United States Statutes at Large*, III, 485.

<sup>2</sup> *Laws of Mississippi*, 1821, pp. 128-29.

<sup>3</sup> Rowland, *Encyclopedia of Mississippi History*, II, 638.

<sup>4</sup> *Laws of Mississippi*, 1825, pp. 13-14.

<sup>5</sup> *Ibid.*, 1827, pp. 18-20.      <sup>6</sup> *Ibid.*, 1824-38, pp. 331-32.

all leases were to be turned into the state treasury as soon as they were collected.

The legislature abandoned the practice of leasing the seminary lands in 1833 and ordered the thirty-six sections sold. The act, which was approved March 2, 1833, required the governor to appoint three commissioners to estimate the value of the lands. After the commissioners had appraised the lands the auditor was required to advertise them for sale to the highest bidder, in tracts of not less than quarter sections, but was forbidden to accept any bid less than three-fourths of the value fixed by the commissioners. The terms of the sale permitted three years' credit, for which notes were taken, with approved security. The proceeds of the notes, as fast as they should be collected, were ordered invested in stock of the Planters' Bank.<sup>1</sup> In accordance with the provisions of this act all but one half-section of the seminary lands were sold during the year 1833 in exchange for notes to the total amount of \$277,322.<sup>2</sup>

In 1835 Governor Lynch reported that all the notes were due, and that with the accrued interest amounted to \$310,000. Four years later many of them were still unpaid. Governor McNutt said that they were generally well secured, but many were under protest.<sup>3</sup>

#### THE SEMINARY FUND

The Seminary Fund was legally created by an act of the legislature which was approved on July 26, 1843. The fund was made to consist of all moneys that had accrued or might accrue from the sale of the thirty-six sections of land donated by the United States for a seminary of learning and all bank stock in which such moneys had been invested.<sup>4</sup> The fund was placed under the control of the "commissioner of the Seminary Fund," whom the governor was authorized to appoint for a term of four years, with the power of removing his appointee at pleasure. The commissioner was required to take control of all moneys, stocks, etc., belonging to the Seminary Fund, and to deposit the same in the state treasury. He was also authorized and instructed to bring suits whenever necessary to recover sums due the fund, with the assistance of the attorney general, who was required to prosecute all such suits.

<sup>1</sup> Laws of Mississippi, pp. 458-60.

<sup>2</sup> Rowland, *op. cit.*, p. 639.

<sup>3</sup> Senate Journal, 1839, p. 8.

<sup>4</sup> Laws of Mississippi, 1843 (Called Session), pp. 57-64.



A further duty of the commissioner was to investigate and report on the condition and previous history of the seminary lands and receipts therefrom, showing the amount received from leases prior to the sale of the lands in 1833; the amount of the sales; when, how, and by whom invested; the amount due the fund, and by whom, at the time of the appointment of the commissioner. The state treasurer was required to keep a separate account of this fund and to credit to this account all moneys previously paid into the treasury from the seminary lands, and 5 per cent interest from the date they were received until the act became effective. An interest rate of 8 per cent was allowed upon the fund after the passage of the act.<sup>1</sup>

In 1846 the office of commissioner of the Seminary Fund was abolished, and the duties of that official were transferred to the "state commissioner," who had control, also, of several other state funds that were not related to educational affairs.<sup>2</sup> At the same session the legislature authorized the state commissioner to "compound and compromise with the debtors" to the Seminary Fund, provided that the governor of the state and the attorney general approved in each instance.<sup>3</sup>

In the meantime, through the failure of the Planters' Bank and the dishonesty of many purchasers of seminary lands, a large part of the fund had been lost. Governor A. G. Brown, in 1846, submitted to the legislature a statement showing the account of the fund at that time to be as follows:

Amount now in the treasury of the state. . . . .	\$103,068.40
Lost principal and interest in Planters' Bank. . . .	110,000.00
To be collected, but in safe hands and secure. . . .	38,356.93
Total. . . . .	\$251,425.33

The governor reminded the legislature that the Seminary Fund was a trust fund, "so declared by the act of Congress making the donation of lands, out of which it sprang." Continuing, he said:

The state as trustee had no authority for investing it in any bank; she did so, however, and \$84,900, with several years interest on that amount has been lost. The State is, in my opinion, under the most solemn obligation to pay it back. It is an obligation, not to Congress, but to the children within

<sup>1</sup> The act creating the Seminary Fund failed to provide compensation for the commissioner. This defect in the act was corrected at the next session of the legislature, which fixed his salary at \$1,500 per annum. Laws of Mississippi, 1844, pp. 129-30.

<sup>2</sup> Laws of Mississippi, 1846, p. 134.

<sup>3</sup> *Ibid.*, pp. 241-42.

her own borders, for whose especial education the fund was set apart. I am fully persuaded that Mississippi will never incur the reproach of withholding justice and the means of education from her own children, and therefore I submit the question to you without discussing the state's legal responsibility.<sup>1</sup>

The legislature, however, left the matter in abeyance, and adopted the policy of making stated appropriations from the state treasury for the support of the University of Mississippi while the question of the state's obligation drifted along. In 1848 the rate of interest on the portion of the fund that was in the state treasury was reduced to 6 per cent.<sup>2</sup> On February 10, 1860, a resolution of the legislature was approved, which authorized the governor to appoint a commissioner to conduct a thorough investigation of the Seminary Fund, from the time of the land grant in 1819 to date, and to report to the governor on or before October 1, 1861.<sup>3</sup> Thus the final settlement of the state's obligation dragged on beyond the limits set for this study.<sup>4</sup>

#### JEFFERSON COLLEGE

The story of the incorporation and early career of Jefferson College has been told in chapter iii. During the territorial period the institution was frankly nothing more than a respectable academy, or rather it was theoretically a college which had opened only its preparatory department. When Mississippi became a state the trustees of the school appear to have endeavored to make it a real college. A scholarly president was secured and preparations were made for collegiate work. The president, however, soon lost the confidence of some of the stronger religious denominations of the state, the institution was denounced as a nursery of infidelity, and the promise of prosperity suddenly vanished.<sup>5</sup> "An empty dome with pensioned preceptors" is the picture of the institution as Governor Poindexter saw it in 1821.<sup>6</sup> About the same time a correspondent of the *Mississippi State Gazette* suggested three reasons as an explanation of "the decline of Jefferson College," namely,

<sup>1</sup> Cluskey, *Speeches, Messages, and Other Writings of A. G. Brown*, p. 6.

<sup>2</sup> Laws of Mississippi, 1848, p. 104.

<sup>3</sup> *Ibid.*, 1859-60, pp. 391-93.

<sup>4</sup> Settlement was finally made in 1880 on the basis urged by Governor Brown thirty-four years before. The amount of fund, with accrued interest, was estimated at \$544,061, which was charged to the state as a debt, on which the state pays 6 per cent annual interest to the state university. Rowland, *op. cit.*, p. 640.

<sup>5</sup> Morrison, "Early History of Jefferson College," *Publications of the Mississippi Historical Society*, II, 179-88.

<sup>6</sup> *Mississippi State Gazette*, January 6, 1821.

that expenses were so high that they precluded all but the wealthy, that the school was lacking in scientific equipment, and that it needed a *popular* as well as a scholarly president.<sup>1</sup>

During the early years of statehood the trustees of the college were left to manage as best they could without interference or assistance from the state, except for a loan of \$4,000, which was granted in 1820.<sup>2</sup> In 1826 the legislature appears to have considered the advisability of making Jefferson College the beneficiary of the federal grant of the "Seminary lands." The charter was so modified that the number of trustees was reduced to twenty-five, the governor and lieutenant-governor were made *ex officio* members of the board, with the governor as president, and it was provided that all vacancies that should occur in the board of trustees should be filled by the general assembly, unless the assembly should direct the board to fill them.<sup>3</sup> Nothing further was done, however, toward making Jefferson College the state university, and the assembly of 1829 clearly had very different views. The development of the central and northern part of the state and the prospects of the early opening of the Chickasaw lands for settlement had left the college in one corner of the state, where it was inaccessible to the bulk of the population. The assembly now sought to secure the surrender of the charter of Jefferson College with the expectation of establishing a new institution more centrally located, and conferring upon it both the endowment granted to the trustees of Jefferson College by the federal government and the seminary lands which were held in trust by the state.<sup>4</sup> Legal difficulties were encountered, however, the agents appointed by the assembly to confer with the college trustees failed to reach an agreement with them, and the plan was abandoned.

The trustees of the college, in the meantime, had decided to reorganize the institution on the plan of the West Point Military Academy. The general assembly sympathized with the idea to the extent of authorizing the state quartermaster to lend arms to the college for use in military instruction.<sup>5</sup> This plan proved popular, and the college took on new life. Governor Brandon in his message to the assembly in 1830 said:

Jefferson College continues to prosper beyond our expectations, and promises to do much good by spreading a knowledge of science and military tactics throughout the state.<sup>6</sup>

<sup>1</sup> *Ibid.*, January 27, 1821.

<sup>2</sup> Laws of Mississippi, 1820, p. 53.

<sup>3</sup> *Ibid.*, 1826, pp. 51-52.

<sup>4</sup> *Ibid.*, 1829, p. 112.

<sup>5</sup> *Ibid.*, p. 108.

<sup>6</sup> Senate Journal, 1830, pp. 8-9.



The need of funds was one of the constant difficulties that confronted the trustees of the college. The thirty-six sections of land, which the general government granted to the institution in 1803, had been located on the Tombigbee River—in the portion of the territory which later became the state of Alabama. During the Alabama land boom in 1818, a part of the township was leased, and about \$8,000 was received as first payments on the leases. But the lands soon declined in value when the boom subsided, and practically all of the lessees forfeited their contracts before their second payments were made.<sup>1</sup> In 1830 the general assembly memorialized Congress to substitute a township of land from the public lands of Mississippi for the “sterile, unproductive pine barrens” that were selected under the original grant.<sup>2</sup> The request was granted by an act of Congress “for the relief of Jefferson College” passed in 1832. By this act the trustees were authorized to relinquish the Tombigbee lands and to locate other lands in Mississippi under most satisfactory terms. The college agent was authorized “to advertise for proposals for the purchase of the right of location under the fourth section of the act for the relief of the college, and subsequently to sell and convey that right at the rate of six dollars and fifty cents an acre, payable in installments.”<sup>3</sup> The entire thirty-six sections were sold, and a considerable sum was collected. By 1835 the vested endowment was said to be \$150,000, and more was collected and invested later. Fifty thousand dollars of the endowment fund was invested in bank stock and lost in the panic of 1837.<sup>4</sup>

After 1830 the legislature gave evidence of little interest in Jefferson College. For more than a decade the only legislation bearing upon the college consisted of two acts authorizing the trustees to fill vacancies in their own body,<sup>5</sup> which, under the law, the legislature might have filled. During this period the school continued as a military institution, and had a fair patronage. The endowment secured from the sale of the college lands enabled the trustees to fix the fees at a small figure—a matriculation fee of \$5.00, which was payable only once and a tuition rate of \$12.50 a session.<sup>6</sup>

<sup>1</sup> Morrison, *op. cit.*, p. 185.

<sup>2</sup> Laws of Mississippi, 1830, pp. 145-46.

<sup>3</sup> *United States Statutes at Large*, VI, 484-85.      <sup>4</sup> Rowland, *op. cit.*, pp. 962-63.

<sup>5</sup> Laws of Mississippi, 1833, Mississippi State Archives, Series I, No. 19; Laws of Mississippi, 1841, p. 159.

<sup>6</sup> *Natchez Weekly Courier and Journal*, January 27, 1837. This paper also gives information as to the faculty and curriculum at that time. There were at the time four college professors and two preparatory teachers in the faculty. The college

In 1843 the legislature passed an act reducing the number of trustees to ten, of whom the governor of the state was made ex officio chairman. The other nine were appointed by the governor with the approval of the senate.<sup>1</sup> In the following year this act and all acts giving the legislature power of appointing trustees were repealed, and the management of the college reverted to the control of the self-perpetuating board, as provided in the original charter.<sup>2</sup> The number of the board was fixed at twelve members.

In 1854 the legislature authorized the trustees of the college to establish a branch at Natchez and to attach to the branch, schools of medicine and law;<sup>3</sup> but the project was never carried out. In the same year the legislature also passed a resolution demanding that the college repay the loans made in 1816 and 1820, and caused a suit to be begun for the amount.<sup>4</sup> Judgment was rendered against the college in the circuit court of Adams County, but a later legislature remitted the entire debt on the condition that the trustees pay the costs of the court.<sup>5</sup> This act of forgiveness closed the legislation upon the state's oldest college in so far as the pre-Civil War period is concerned.<sup>6</sup>

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professorships were as follows: Intellectual philosophy and belle-lettres (filled by the president); Greek, Latin, and Modern languages; mathematics, geology, and civil engineering; and natural philosophy and chemistry.

The work required for a degree from the institution was as follows:

Freshman class: *Graeca Minora*, Grecian and Roman Antiquities, *Livy*, Greek and Latin exercises, review of Greek and Latin grammars, arithmetic, algebra to equations, English grammar and composition, and Blair's *Lectures* (abridged).

Sophomore class: Geography astronomically, geometry and algebra, *Graeca Majora* (Vol. I, finished), *Horace*, rhetoric, English grammar and composition, general history.

Junior class: First semester—solid geometry, plain and spherical trigonometry, surveying, and navigation; *Juvenal*, Latin composition; chemistry and natural philosophy; *Graeca Majora* (Vol. II, begun). Second semester—*Graeca Majora* (Vol. II, finished), analytical geometry, theory of curves, conic sections, and differential calculus; natural philosophy; descriptive geometry; *Juvenal* (finished).

Senior class: First semester—Integral calculus, astronomy, topography, and civil engineering; natural philosophy; Campbell's *Philosophy of Rhetoric*, *Cicero de Oratore*, logic, and composition; philosophy of mind. Second semester—Moral philosophy; political economy; *Longinus de Sublimate*, Poley's *Natural Theology*, *Evidences of Christianity*; chronology and history; reviews; president's lectures.

<sup>1</sup> Laws of Mississippi, 1843, pp. 87-89.

<sup>2</sup> *Ibid.*, 1844, pp. 225-26.

<sup>3</sup> *Ibid.*, 1854, pp. 361-62.    <sup>4</sup> *Ibid.*, p. 586.    <sup>5</sup> *Ibid.*, 1858, p. 170.

<sup>6</sup> The institution is now a military academy. It has not been regarded as a state institution at any time since 1860.

## MISSISSIPPI COLLEGE

The general assembly of Mississippi in 1826 passed an act "to establish an academy in Hinds County," which was placed under the superintendence of a self-perpetuating board of trustees of twelve members. The school was called Hampstead Academy, and was located at Clinton.<sup>1</sup>

When this academy was incorporated, the question regarding the location of a state institution for higher education was already receiving the thoughtful attention of political leaders. Clinton at that time was a flourishing town, was located within nine miles of Jackson, and was the serious contender for the permanent location of the state capitol. The trustees of Hampstead Academy undertook to convince the general assembly that their institution was the logical place for the development of the state university. The assembly was so favorably impressed that it amended the charter of Hampstead in 1827, changed the name to Mississippi Academy, and appropriated to the institution all rents that had been received from the seminary lands and all that might be received for a period of five years from the making of the leases that had previously been made.<sup>2</sup> The trustees, also, were authorized to raise \$20,000 by a lottery, and "the proprietors of the town of Clinton" were permitted to dispose of town lots by lottery, on condition that 15 per cent of the proceeds of these lotteries should be applied to the "use and benefit of Mississippi Academy."

Two years later the assembly authorized a loan of \$5,000 to Mississippi Academy for the purpose of erecting and completing the buildings, and the state took a mortgage on the campus and buildings to secure the loan. The act provided that the principal was to be repaid in two equal instalments in 1830 and 1831. In case the loan was repaid when due, no interest was to be charged, but otherwise the academy was required to pay 6 per cent annual interest.<sup>3</sup>

In 1830 the name of the institution was changed to Mississippi College, and the trustees were authorized to confer degrees.<sup>4</sup> An amendment to the charter in 1833 gave to the legislature the power of filling all vacancies in the board of trustees, with the provision that the governor might make temporary appointments during the recesses of the legislature. The legislature proceeded in the same act to exercise its new prerogative and added to the board as then constituted the

<sup>1</sup> Laws of Mississippi, 1826, pp. 23-25.

<sup>2</sup> *Ibid.*, 1827, pp. 85-86.

<sup>3</sup> *Ibid.*, 1829, pp. 54-55.

<sup>4</sup> *Ibid.*, 1830 (November Session), pp. 101-2.



names of Daniel Comfort, Isaac Caldwell, Cowles Meade, A. B. Shelby, Jacob B. Morgan, and Ethelwin Sadler.<sup>1</sup> From 1833 to 1841, inclusive, Mississippi College remained a quasi-state institution, but received no further contributions to its support from the state government.

In 1841 the legislature selected a site for the state university in the extreme northern part of the state.<sup>2</sup> The trustees of Mississippi College then determined to make the institution a denominational school, and in 1842 tendered it to the Clinton Presbytery. The offer was accepted and the school began its career as a Presbyterian college with flattering prospects. A few years later, however, the strife between the "old school" and the "new school" Presbyterians was brought into the college affairs and caused a decline in attendance. The Presbytery became discouraged, and apparently was ready to have the institution taken off its hands.<sup>3</sup>

The legislature of 1848 seriously considered the question of establishing a state institution for the training of teachers. The trustees of Mississippi College thereupon made an effort to have the college transformed into a state normal. On January 18, 1848, the House of Representatives adopted the following resolution relative to the proposition of the trustees:

WHEREAS, The trustees of Mississippi College at Clinton, in the county of Hinds, have signified a willingness to surrender that institution to the state for the use of a normal school; and

WHEREAS, The state did some years ago loan to said institution a sum of money which still remains unpaid, and which is secured by mortgage on the buildings and grounds of said colleges; therefore, be it

*Resolved*, That the committee on normal schools be instructed to visit the town of Clinton, and ascertain by a personal examination of the buildings and appurtenances of Mississippi College whether the said buildings would answer the purposes of a Normal school.<sup>4</sup>

The committee, after visiting Clinton, reported that they entertained the opinion that "insurmountable objections" existed "to the use of those buildings for the purposes of such a school." One of the "insurmountable obstacles" was stated as follows:

The buildings are upon a scale and in a style unsuitable for the purpose. They are much more extensive than would be required, and would demand

<sup>1</sup> *Ibid.*, 1833 (November-December), Mississippi State Archives, Series I, No. 19.

<sup>2</sup> *Ibid.*, 1841, pp. 143-45.

<sup>3</sup> Brough, "Historic Clinton," *Publications of the Mississippi Historical Society*, VII, 281-312.

<sup>4</sup> House Journal, 1848, pp. 485-86.

a greater outlay of money at once, and entail a greater expense for present and future repairs than the plan of such a school makes at all necessary.<sup>1</sup>

Having failed to transfer the responsibility for the college to the state, the Presbytery decided on July 27, 1850, to return the institution to the citizens of Clinton, and passed a resolution that "the relation heretofore existing between this Presbytery and the Board be hereby dissolved." The board of trustees was then reorganized and decided to offer the school to the Baptist denomination. The offer was made and was accepted by the state Baptist Convention in November of the same year.<sup>2</sup>

Mississippi College opened its first session as a Baptist institution in the fall of 1850. The new Baptist board of trustees secured an act from the legislature authorizing the college to lend its funds and to receive interest on notes executed for scholarships at a rate not exceeding 10 per cent.<sup>3</sup> The trustees then began a campaign to raise an endowment by the sale of scholarships, and succeeded in raising over \$100,000.<sup>4</sup> During the decade of Baptist control from 1850 to 1860 only one other act of legislation had reference to the college. In 1854 a rather miscellaneous bill was passed entitled, "an act for the benefit of Mississippi College." By this act the state released the college from the lien on its campus and buildings "for money heretofore advanced to aid the college," donated to the college library a copy of Hutchinson's *Code of Mississippi* and other state publications, forbade the business men of Clinton to sell to students of the college on credit, and prohibited the sale of vinous and spirituous liquors within five miles of the college campus.<sup>5</sup>

#### THE UNIVERSITY OF MISSISSIPPI

In 1840 the state legislature definitely committed itself to the proposition of establishing a state university as soon as the necessary preliminaries could be disposed of. On February 20 of that year an act was approved which proposed "to provide for the location of the

<sup>1</sup> House Journal, p. 505.

<sup>2</sup> Leavell and Bailey, *A Complete History of Mississippi Baptists from the Earliest Times*, II, 1296.

<sup>3</sup> Laws of Mississippi, 1850 (Called Session, November), p. 32.

<sup>4</sup> Leavell and Bailey, *op. cit.*, pp. 1299-1301. The first session of Mississippi College under Baptist control opened in 1850 with one teacher and fourteen students. At the outbreak of the Civil War there were six men in the faculty and an enrolment of 228 students.

<sup>5</sup> Laws of Mississippi, 1854, pp. 469-70.

State University." This act provided that the legislature should select seven possible sites, and should appoint a commission of three, representing the different sections of the state, to examine and report upon these seven sites to the legislature at its next session. It was agreed that the legislature should then ballot upon these sites, dropping the one with the least votes after each ballot, until one site should receive a majority vote. The act also appropriated the Seminary Fund to the "University of the State of Mississippi."<sup>1</sup> In accordance with this act the legislature at its next session in 1841 selected a site for the university at Oxford in Lafayette County, and appointed commissioners to secure titles to the lands chosen.<sup>2</sup> In the following year the governor was authorized to appoint a "commissioner" to preserve the site from waste.<sup>3</sup>

The act of incorporation for the University of Mississippi was passed in 1844, and was approved by the governor on February 24 of that year. The trustees were named in the charter and made a self-perpetuating body.<sup>4</sup> They were authorized to adopt a "system of learning," and to contract for the erection of the "University building" as soon as they should think advisable. No appropriation was made for the buildings, but the trustees were given full control over the Seminary Fund, and they were expected, it seems, to use this fund for building purposes. A blanket provision gave to the trustees all powers conferred upon similar corporations in the state.

Before the trustees had time to make use of any of the \$100,000 then in the treasury of the state to the credit of the Seminary Fund, the portion of the charter giving the trustees control of that fund was repealed and the management of the fund was returned to the state commissioner.<sup>5</sup> In 1846 Governor Brown urged the necessity of an appropriation for the erection of the university buildings. "Economy should be observed in construction," he said, "convenience and durability being consulted rather than beauty and adornment." He recommended that the sum set apart for building purposes be limited to \$50,000.<sup>6</sup> The legislature accordingly made an appropriation of \$50,000 as recommended, one-half payable on demand of the trustees and the

<sup>1</sup> *Ibid.*, 1840, pp. 92-95.

<sup>2</sup> *Ibid.*, 1841, pp. 143-45.

<sup>3</sup> *Ibid.*, 1842, p. 258.

<sup>4</sup> *Ibid.*, 1844, pp. 227-28. The trustees named in the charter were J. Alexander Ventress, John A. Quitman, Wm. L. Sharkey, Alexander M. Clayton, William Y. Gholson, Jacob Thompson, Pryor Lea, Edward C. Wilkinson, James M. Howry, John J. McCaughan, Rev. Francis Hawkes, J. N. Waddell, and A. H. Pegues.

<sup>5</sup> *Ibid.*, 1846, pp. 248-49.

<sup>6</sup> Senate Journal, 1846, p. 14.



balance on January 1, 1847.<sup>1</sup> This appropriation was taken from the Seminary Fund.<sup>2</sup>

The University of Mississippi opened for its first session in the fall of 1848 with a faculty of four and an attendance of eighty students. Twelve years of steady progress marked the history of the school until the beginning of the war between the states. The enrolment for the session of 1860-61 was 226 students.<sup>3</sup> The legislation concerning the university during these twelve years dealt chiefly with the question of the support of the institution.<sup>4</sup>

#### MISSISSIPPI STATE FEMALE COLLEGE

The incorporation of the Mississippi State Female College was the result of the determination and enthusiasm of Miss Sallie Eola Reneau, who agitated the question of a female college supported by the state through the public press and personally urged the matter upon the governor and the state legislature. In his message to the legislature in 1856 Governor McRae incorporated the following brief paragraph upon the subject:

The proposition of the establishment by the State of a Female College, for the thorough and accomplished education of the daughters of the State, has been brought prominently and interestingly before the public, and to the notice of the Executive, by Miss Reneau, a young lady of accomplishment, intelligence, and talent, educated in this State, a resident of Grenada, engaged in the business of female instruction, and devoted to the intellectual advancement of her sex. I commend the subject to the favorable consideration of the legislature.<sup>5</sup>

Miss Reneau followed up the governor's recommendation with a memorial in which she outlined her plans for the college, and made an

<sup>1</sup> Laws of Mississippi, 1846, p. 249. As a result of this appropriation the trustees were enabled to report to the legislature in 1848 that they had erected a main building, two dormitories, a steward's hall, and four six-room cottages for the homes of the faculty. The main building was three stories high, designed to reproduce the "Grecian Ionic Temple on the Illyseus near Athens." It contained on the first floor a laboratory and a lecture hall for the department of chemistry, electricity, geology, and the science of agriculture; on the second floor, an assembly room and two lecture-rooms; on the third floor, a library, museum, and rooms for the literary societies. The two dormitories were also three-story buildings and contained seventy-two rooms. See trustees' report in House Journal, 1848, p. 48.

<sup>2</sup> Auditor's Report, House Journal, 1848, p. 71.

<sup>3</sup> Rowland, *op. cit.*, p. 844.

<sup>4</sup> This legislation is discussed in chap. xi, pp. 127-28.

<sup>5</sup> House Journal, 1856, pp. 22-23.

eloquent plea for their adoption. She advocated a school with three departments, an elementary school, an academy, and a college. The latter she wished to embrace "the whole circle of science and polite literature, as taught in the best male colleges in the United States, together with ample provisions for music and other ornamentals."<sup>1</sup>

Miss Reneau's plans apparently met a favorable reception at the hands of the legislature. The school was incorporated under the name "The State Female College of Mississippi," and the charter was approved February 20, 1856. A self-perpetuating board of trustees was given full power and control over "funds hereafter appropriated by the legislature of this state for the endowment of the said State Female College of Mississippi." The trustees were also authorized to employ a competent person to draft a plan for the college and to appoint commissioners to contract for the erection of the college buildings so soon as they should think advisable.<sup>2</sup>

The legislature, however, made no appropriation for the State Female College at its session of 1856, nor did its successor in 1858. In 1860 Miss Reneau addressed a memorial to Congress asking that 500,000 acres of the 1,200,000 acres of public land in the state then unsold be granted for the endowment of the State Female College.<sup>3</sup> The state's secession from the Union prevented any action on this petition. The State Female College never opened its doors to the young women of the state, but it was the beginning of an agitation for female education that influenced Mississippi to take a most credible position in that regard when normal conditions returned after the Civil War.

#### THE INCORPORATION OF PRIVATE AND DENOMINATIONAL COLLEGES

In addition to the legislation relative to the four institutions already discussed in this chapter there were a number of private colleges incorporated by individuals, religious denominations, and fraternal societies. Usually the only legislation upon these schools was the act by which they were incorporated.

The first denominational school that was clearly of college rank to receive a charter in Mississippi was Oakland College, incorporated by the Presbyterians in 1830. The act of corporation designates the school as "The Institution of Learning under the care of the Mississippi Presbytery," and leaves the trustees to determine a name for it. There were twelve trustees named in the act who were permitted to hold

<sup>1</sup> *Ibid.*, pp. 282-88.

<sup>2</sup> Laws of Mississippi, 1856, pp. 383-84.

<sup>3</sup> *Ibid.*, 1872, p. 128.

property to any amount, provided the actual income therefrom did not exceed \$10,000 a year. The trustees were directed to make provision for instruction "in English Language, in the Latin and Greek languages, in Mathematics and the Arts and Sciences, and such other branches of Literature" as might be within their means, "in order to prepare young men for business, or any of the learned professions."<sup>1</sup>

The acts of incorporation for colleges are very similar to the charters of the academies and other secondary schools. In fact it is very difficult to draw any definite line of distinction between the higher and secondary institutions. Usually the property limit of the colleges is considerably higher, but there are disconcerting exceptions to this rule. Sharon College, for instance, was restricted to \$30,000 worth of property, while Elizabeth Female Academy was permitted to own \$100,000 worth. Both were property of the Methodist denomination. All of the colleges were permitted to confer degrees,<sup>2</sup> but there are several instances where this power was given also to academies, institutes, and seminaries.<sup>3</sup> Almost all the institutions which bear the name "college" were given exemption from taxation, but this favor, also, was conferred occasionally upon secondary schools. The self-perpetuating board of trustees was the most popular method of organization for colleges, as it was also for the academies.

The total number of colleges incorporated by the territory and state prior to 1860 was thirty-three. Excluding Hancock College and Kemper College, which have been classed as secondary schools, the list is given in full below, with the county in which each institution was located and the date of incorporation. In case the school is known to have been under denominational or fraternal control, the organization interested is given in parentheses just after the name of the school.

#### COLLEGES AND UNIVERSITIES INCORPORATED IN MISSISSIPPI PRIOR TO 1860

Jefferson College, Adams.....	May	3, 1802
Oakland College (Presbyterian), Claiborne.....	December	3, 1830
Mississippi College (State, Presbyterian, Baptist), Hinds,		
by amendment to charter of Hampstead Academy...	December	16, 1830
Sharon College, Madison.....	May	12, 1837
Chulahoma College, Marshall.....	January	30, 1839
University at Holly Springs, Marshall.....	February	9, 1839

<sup>1</sup> Laws of Mississippi, 1830 (November), pp. 47-49.

<sup>2</sup> Hancock College, apparently only a secondary school, is an exception to this statement.

<sup>3</sup> See p. 72.



Grenada College, Yalobusha.....	February 15, 1839
Mississippi Female College, Lowndes.....	February 5, 1840
North Mississippi College, Lafayette.....	February 6, 1840
Centenary College (Methodist), Rankin.....	July 18, 1843
University of Mississippi (State), Lafayette.....	February 24, 1844
Jackson College, Hinds.....	January 24, 1846
Sharon Female College (Methodist), Madison.....	February 23, 1846
Eureka Masonic College (Masons), Holmes.....	February 7, 1848
Aberdeen Female College, Monroe, by amendment to charter of Aberdeen Female Academy.....	February 27, 1850
Eudocia Female College, Carroll.....	March 1, 1850
Wilmarth College, Adams.....	January 27, 1852
Mississippi Female College (Baptist), De Soto.....	February 11, 1852
Kosciusko Masonic Female College (Masons), Attala....	March 3, 1852
Madison College, Madison.....	March 4, 1852
Mary Washington Female College (Baptist), Pontotoc...	March 8, 1852
College of St. Andrews (Episcopal), Hinds.....	October 10, 1852
Central Mississippi Female College (Baptist), Holmes....	February 25, 1854
Planters' College, Claiborne, by amendment to charter of Southern Scientific Institute.....	February 28, 1854
Newton College, Wilkinson.....	March 1, 1854
Union Female College, Lafayette, by amendment to charter of Oxford Female Academy.....	March 2, 1854
State Female College of Mississippi (State).....	February 20, 1856
{Mississippi Masonic Female College (Masons), Claiborne	March 1, 1856
{Southern Female College (same as above; name changed)	December 2, 1858
*Semple Broadbudd College (Baptist), De Soto.....	November 11, 1858
*Whitworth College (Methodist), Lawrence.....	February 1, 1860
*Corona Female College, Tishomingo.....	February 9, 1860
*Rose Gates College, Chickasaw.....	June 14, 1860

\* Colleges whose names are preceded by a star were incorporated by the governor under the provision of the *Revised Code* of 1857. See chap. vi, p. 64 and footnote.

#### DENOMINATIONAL AND FRATERNAL INFLUENCE

The denominational influence in the incorporation and fostering of higher education in the state was very important. It is not possible to determine from the charters and other legislative records how many colleges were under denominational control, but it is probable that a majority had some religious affiliation. Practically all the colleges, aside from the state institutions, that have persisted down to the present time, were denominational schools.

There were several schools incorporated by fraternal organizations, three of which were known as colleges.<sup>1</sup> These three colleges were under the control of local Masonic lodges.

<sup>1</sup> Laws of Mississippi, 1848, pp. 474-76; 1852, pp. 236-38; 1856, pp. 355-56.

## STATE INFLUENCE ON HIGHER EDUCATION

The general attitude of the state towards higher education was that of a sympathetic onlooker. It was ready at all times to bestow the privileges of a corporate body upon any group of citizens who desired to band together for the establishment of a college. It was willing to encourage such worthy purposes by granting exemption from taxes upon property used for the benefit of such institutions, and in the early days might permit the raising of a limited amount of funds by lottery; but it felt no further responsibility for the success or failure of the enterprise. Even the so-called state institutions were under the control of self-perpetuating boards of trustees, and were practically independent of the state. This was especially true of Jefferson College, which received its land grant direct from Congress. Through its control of the Seminary Fund, the legislature retained a more vital connection with the state university, and this relationship was apparently strengthened by the failure of the state during this period to adjust its obligations to the university as trustee of the Seminary Fund. So long as those obligations remained unsettled, the legislature found it necessary to make appropriations to the university from time to time from the accumulated interest the state owed on the fund, thus bringing the trustees into a feeling of financial dependence and building up in the legislature a sense of responsibility to the institution.

## CHAPTER VIII

### EDUCATIONAL LEGISLATION FOR SPECIAL CLASSES AND FOR SPECIAL PURPOSES

#### EDUCATION OF ORPHANS AND POOR CHILDREN

The earliest provision made for education of orphans was by means of apprenticeships. These provisions applied also to the children of paupers. By an act of February 10, 1807, the overseers of the poor, under the direction of the county court, were required to bind out poor orphans and other children whose parents were incapable of supporting them to persons approved by the court until they should reach the age of eighteen years, if boys, and sixteen years, if girls. The person to whom such a child was bound was required to provide his apprentice with good wholesome food, lodging, necessary clothing, and to teach him or her the business or occupation which he pursued for a livelihood, and "also to read, write, and cypher as far as the rule of three." In case the master failed to comply with the law the court was required to have the apprentice taken from him and bound to another.<sup>1</sup>

The term of apprenticeship for male children was extended in 1809 to twenty-one years,<sup>2</sup> and in 1846 was reduced to nineteen.<sup>3</sup> The law of apprenticeship, in so far as its educational provisions are concerned, remained unchanged until 1857. In that year the wording of the educational clause was changed so as to require masters to send their apprentices to school until they should learn "to read, write, and perform any ordinary calculation incident to the life of a farmer."<sup>4</sup>

In 1829 the legislature passed an act providing for the apprenticeship of free negro and mulatto orphans and poor children that was almost identical with the law for white children, except that the master was required to teach them only his business or trade.<sup>5</sup>

In addition to the laws for apprenticeship, Mississippi, early in her history, made provision for an orphan asylum. In 1819 the general assembly incorporated the Female Charitable Society of Natchez, whose purpose was to care for and educate orphan children.<sup>6</sup> The name of this corporation was changed in 1825 to "The Orphan Asylum,"

<sup>1</sup> Digest, 1816, p. 368; Hutchinson, *Code of Mississippi*, p. 297.

<sup>2</sup> *Ibid.*, p. 369.

<sup>3</sup> Laws of Mississippi, 1829, pp. 33-34.

<sup>4</sup> Hutchinson, *op. cit.*, pp. 304-5.

<sup>5</sup> MS Laws, Mississippi State Archives, Series I, No. 2.

<sup>6</sup> *Revised Code of 1857*, pp. 213-14.



the society retaining under the new name all the rights and privileges given in the original charter. It was also granted the power of guardian over the inmates.<sup>1</sup> With the passage of this act "The Orphan Asylum" became a quasi-public institution, receiving regularly state aid for its support. The act which changed the name of the institution made an annual appropriation of \$500, which the tax collector of Adams County was authorized to pay to the asylum each year out of the taxes arising from the sale of merchandise at auction in Adams County. When the tax on auction sales was reduced the year following, the amount of revenue from that source was less than the appropriation authorized, but the assembly in 1827 passed an act for the relief of the asylum, appropriating an amount sufficient to cover the loss that had befallen it.<sup>2</sup>

For eleven years no further legislation was passed with reference to the orphan asylum. It appears that the annual appropriation continued effective during this period and represented the full amount of state aid during these years. In 1838 "an act for the benefit" of the asylum carried a special appropriation of \$800, which was paid from the state treasury.<sup>3</sup> When in the following year the act was passed appropriating the revenue from fines, forfeitures, and amercements to academies in the several counties,<sup>4</sup> the orphan asylum was given the money from these sources in Adams County. The common school act of 1846 also contained a provision that left the revenue from fines, forfeitures, and amercements in the city of Natchez to the asylum, but diverted revenue arising from these sources in the rest of the county to common schools.<sup>5</sup> Additional funds for the asylum were provided in 1850 by the appropriation of all moneys accruing from licenses to keepers of billiard tables in Adams County, and also all fines imposed by the circuit court of the county.<sup>6</sup> To these sources of revenue there was added in 1852 the license fees from brokers in the county.<sup>7</sup> These acts remained unaltered through the rest of our period of study.

There were two other orphan asylums incorporated in the state prior to 1860, neither of which received any financial assistance from the state. On January 13, 1844, a charter was granted the "Humane and Benevolent Society of Vicksburg, with an Orphan Asylum annexed."<sup>8</sup> Ten years later the St. Mary's Orphan Asylum was incor-

<sup>1</sup> Laws of Mississippi, 1825, pp. 87-88.

<sup>2</sup> *Ibid.*, 1827, pp. 55-56.

<sup>3</sup> *Ibid.*, 1838, p. 245.

<sup>4</sup> See chap. v, p. 64.

<sup>5</sup> See chap. iv, p. 42.

<sup>6</sup> Laws of Mississippi, 1850, p. 478.

<sup>7</sup> *Ibid.*, 1852 (October), p. 114.

<sup>8</sup> *Ibid.*, 1844, pp. 248-49.

porated by an act, which, in its title, characterized the asylum as "a charitable and educational institution in the city of Natchez."<sup>1</sup>

#### MANUAL LABOR SCHOOL

The only influence of the manual labor movement in Mississippi apparent in the legislation of the state is to be found in the activities of the Mississippi Baptist Educational Society, which was organized in 1835, but was not incorporated. At its first meeting this society declared that it deemed it necessary "as soon as practicable to establish a school combining manual labor with study, having for its object the education of pious young men for the gospel ministry, and such others as the Board hereinafter named shall see fit to admit to a participation of its benefits." The society at this meeting appointed a board of directors for the proposed institution, who, in turn, selected an agent "to collect funds, receive subscriptions, etc., to carry into effect the important design of the society, to wit: the establishment of a manual labor school, to be under the control of the Baptist denomination of the state."<sup>2</sup>

The proposed school was incorporated as Judson Institute on February 27, 1836, and located at Society Ridge in Hinds County. The charter placed the institution under the control of the Mississippi Baptist Educational Society, and authorized it to own property to the amount of \$250,000. The assumption in the charter apparently was that the institution would begin as a secondary school and be developed later into a college. The trustees were permitted as soon as they should "deem it expedient" to "enjoy the privileges of a college and confer degrees."<sup>3</sup> In 1840 the charter was amended so as to permit the removal of the school to Middleton in Carroll County.<sup>4</sup>

#### VOCATIONAL EDUCATION

The records of the legislative department of Mississippi give evidence of little attention to the subject of vocational education before 1860.<sup>5</sup>

<sup>1</sup> *Ibid.*, 1854, pp. 356-57.

<sup>2</sup> Leavell and Bailey, *A Complete History of Mississippi Baptists from the Earliest Times*, p. 1243.

<sup>3</sup> Laws of Mississippi, 1836, pp. 382-84.

<sup>4</sup> *Ibid.*, 1840, p. 175. This school attracted the favorable attention of the State Baptist Convention which gradually overshadowed and supplanted the Educational Society, but was never taken over by that body. See Leavell and Bailey, *op. cit.*, II, 1246.

<sup>5</sup> The advertisements in the newspapers of the time indicate that some of the chartered academies and unincorporated private schools offered courses in book-keeping, practical surveying, and occasionally other vocational subjects. As early as

The only school incorporated during the ante-bellum period, which indicated in its charter that it was specifically vocational, was the Chulahoma College and Commercial Institute, which received its letters of incorporation in 1839.<sup>1</sup> The only indication of its commercial purpose in the charter is in the name.

Provision for vocational education to a limited extent was made in some of the higher institutions of learning, notably in the state university. In 1850, two years after the opening of the university, the legislature by special enactment created at the university a department of "agricultural and geological science," with a professor and an assistant professor in charge. An appropriation of \$6,000 a year was voted for the maintenance of the department. In addition to his work as an instructor, the head of the department was required to make a general geological and agricultural survey of the state, for which half of the appropriation was to be used.<sup>2</sup> In 1852 the geological work was separated from the department, and the name of the latter was changed to "agricultural and zoölogical science."<sup>3</sup> The "state geologist" continued the work upon the survey of the state, and reports of surveys were published by the state in 1854 and 1857.<sup>4</sup>

The project for establishing schools of law and medicine at Natchez in connection with Jefferson College has been mentioned in the discussion of that college in the preceding chapter. No other attempt to provide for medical training appears to have been made in the state. In 1854 the law department of the University of Mississippi had its origin in the creation by special act of the legislature of a "Professorship of Governmental Science and Law." An appropriation of \$2,000 a year was made to pay the salary of the professor, whom the trustees

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1821 Natchez had a private evening school which laid stress upon the "practical" side of education, as is indicated by the following advertisement, which appeared in the *Natchez State Gazette*, January 6, 1821:

#### EVENING SCHOOL

MR. HOWARD will commence an evening school for the season on Tuesday next at 6 o'clock. In addition to the usual branches he will instruct young men in GEOMETRY, CIVIL AND MILITARY ARCHITECTURE, GUNNERY, SURVEYING, TOPOGRAPHY, and BOOK-KEEPING.

Terms from \$5 to \$20 a month.

<sup>1</sup> Laws of Mississippi, 1839, pp. 227-29.

<sup>2</sup> *Ibid.*, 1850, p. 127.

<sup>3</sup> *Ibid.*, 1852, pp. 189-90.

<sup>4</sup> *Ibid.*, 1854, pp. 148-50; 1857, pp. 113-14.



were authorized to employ.<sup>1</sup> By 1860 the department had developed to the place where an additional professor was needed, and a second chair was established with the same appropriation for salary as made for the first.<sup>2</sup>

One of the vocations for which many state officials urged the necessity of providing definite training was that of teaching, but the provision was never made. In 1848, at the urgent recommendation of Governor Brown, the legislature turned its attention to the question of establishing a normal school,<sup>3</sup> and the House of Representatives appointed a special committee on normal schools. This committee reported a bill entitled, "an act to establish a State Normal School." The House ordered five hundred copies of the bill printed, laid the report and the bill on the table, and gave it no further consideration.<sup>4</sup>

In 1850 the matter was again brought to the attention of the legislature by the general school commissioner,<sup>5</sup> who asserted that many counties were unable to secure competent teachers. The state was forced to look to other sections of the nation and to other countries for teachers, he said, and "to overlook their foreign accent and stupid vulgarity, or be entirely deprived of school privileges."<sup>6</sup> This plea, however, was ineffectual, as was also Governor McWillie's recommendation in 1838 for "a state normal for females."<sup>7</sup>

#### MILITARY TRAINING

Reference has been made in the chapter on higher education to the reorganization of Jefferson College in 1829 upon a military basis somewhat similar to the academy at West Point. There was quite a different movement for military training more than a quarter of a century later that apparently had its inspiration in the growing probability of war between the sections of the Union. The *Revised Code* of 1857 contained a provision for a military school fund, which was to be appropriated to the establishment and maintenance of "one or more military schools in the state."<sup>8</sup> For the benefit of this fund a poll tax of fifty cents was levied upon each able-bodied free white male citizen over eighteen years and under forty-five years of age, and also a property tax equal to one-fortieth part of the general state tax, which was to be called "the military

<sup>1</sup> *Ibid.*, 1854, p. 160.

<sup>5</sup> See pp. 42-43.

<sup>2</sup> *Ibid.*, 1859-60, pp. 238-39.

<sup>6</sup> Senate Journal, 1850, p. 154.

<sup>3</sup> House Journal, 1848, p. 26.

<sup>7</sup> House Journal, 1858, p. 23.

<sup>4</sup> *Ibid.*, p. 506.

<sup>8</sup> *Revised Code* of 1857, p. 266.

school tax."<sup>1</sup> This act was repealed in 1858,<sup>2</sup> but the plan to establish a military school was not completely abandoned. On February 11, 1860, the Brandon State Military Institute was incorporated with the avowed purpose of providing instruction for "the youth in the various branches of literature, sciences, and arts, and to a thorough military discipline." The governor and his successors in office were made members of the board of trustees, which was otherwise self-perpetuating. The act of incorporation authorized the governor to lend firearms to the institution, but made no other provision for its assistance. Before the institution could get under way, however, the youth of the state were receiving their military instruction in the camps and on the fields of battle.

#### EDUCATION OF DEFECTIVES

*The blind.*—The Mississippi Institution for the Blind grew out of the efforts of Rev. James Champlin, of Sharon, who had been engaged in the instruction of a few blind pupils in his home town prior to 1846. In that year he visited Jackson with one of his students, in the hope of interesting the legislature in the establishment of a state institution for the blind.

According to Mr. Champlin's statement two years later, he received encouragement from individual members of the legislature, but owing to the little attention which the public had given the subject it was thought best to defer the matter until the next session of the legislature. In the meantime, upon the advice of those favorable to the institution, Mr. Champlin established a small private school for the blind in Jackson in the spring of 1847,<sup>3</sup> and employed P. Lane, a graduate of the New York Institute for the Blind, as an instructor. Leaving the school in the care of his assistant, Mr. Champlin canvassed the state, visiting the blind throughout its borders, soliciting funds for the support of the establishment he had set up, and securing signatures to petitions praying the legislature to provide for the education of the blind at its next session.<sup>4</sup>

When the legislature assembled in 1848, Governor Brown submitted a report from Mr. Champlin upon his work for the blind with a recommendation that the state assume responsibility for the work.<sup>5</sup> The legislature responded with "an act to aid in the establishment of an institution for the instruction of the blind."<sup>6</sup> The act required the

<sup>1</sup> *Revised Code* of 1857, p. 265.

<sup>4</sup> *Ibid.*

<sup>2</sup> *Laws of Mississippi*, 1858, p. 74.

<sup>5</sup> *Ibid.*, p. 23.

<sup>3</sup> *House Journal*, 1848, pp. 43-44.

<sup>6</sup> *Laws of Mississippi*, 1848, pp. 153-55.

governor to appoint at once a board of trustees for the institution, whose term of service was fixed at two years. The trustees were empowered to receive contributions from the state and from benevolent individuals. An appropriation of \$2,500 for the year 1848 and an annual appropriation of \$1,000 for successive years were contained in the same act. The trustees were authorized to purchase, contract for, or erect a building for the school, appoint the principal and teachers, and fix the salaries. Pupils were admitted free upon a certificate from their county probate clerk asserting that they were of good moral character and were unable to pay the expenses of an education. Pupils who paid tuition fees were required to have certificates as to character only.

The annual appropriation for the institution was increased in 1850 to \$2,500, payable quarterly in advance upon the requisition of the trustees. At the same time a special appropriation of \$900 was made to pay the balance of the purchase money for the lot on which the institution was located.<sup>1</sup>

Two years later a further appropriation was authorized to meet the growing needs of the school, the size of the appropriation made to depend upon the number of pupils. The act provided that for each free student above ten there should be added to the annual appropriation of \$2,500 the sum of \$200. This act also contained a special appropriation of \$200 for the purchase of a lot adjoining the institution.<sup>2</sup>

In 1854 provision was made for an adequate and permanent building for the institution for the blind. Congress had made an appropriation in 1841 of 10 per cent of the proceeds of the sale of public lands to the states in whose borders the lands lay, and had placed a sum of money to the credit of Mississippi for lands sold within her borders.<sup>3</sup> Mississippi had never recognized the right of Congress to distribute the proceeds of public land sales to the states, and had declined to claim her share of the distribution. After allowing the money to accumulate in the United States treasury for thirteen years, the state now came forward through her legislature and virtually said, "You haven't any right to give it to us, but if you insist, we will take it and give it to charity."<sup>4</sup> The state treasurer was accordingly authorized to receive the money and to receipt for it. The amount was then ordered divided equally between

<sup>1</sup> Laws of Mississippi, 1850, p. 118.

<sup>2</sup> *Ibid.*, 1852, pp. 92-93.

<sup>3</sup> *United States Statutes at Large*, V, 453.

<sup>4</sup> Sec. 7 of the act specifically states that the legislature does not sanction the constitutionality of the act of Congress. Laws of Mississippi, 1854, p. 97.



the schools for the blind and for the deaf and dumb, to be used for the erection of suitable buildings for these institutions.<sup>1</sup> The trustees were required to erect the buildings of both schools in "a neat and substantial manner, with a view to comfort and convenience, instead of show."<sup>2</sup>

Two other bills were passed by the legislature of 1854 in the interest of the Blind Institute. One of these appropriated \$1,000 to purchase a lot adjoining the institution,<sup>3</sup> and the other gave the superintendent of the school free use of the state library for his pupils.<sup>4</sup>

Special appropriations amounting to \$2,000 were made for the school in 1856 in addition to the regular annual appropriation. These special appropriations were for repairing the building, purchasing a piano, other musical instruments, and necessary furniture, and for "sustaining the musical and mechanical departments" of the institution. The same act also required the boards of police of the several counties of the state to furnish the president of the institute the names and addresses of all blind persons in their respective counties, and to provide means necessary to meet the expenses of any who were found eligible for the institute, but were unable to pay the expenses of the trip and to provide suitable clothing.<sup>5</sup>

At an adjourned session of the legislature during the latter part of 1856 and early months of the following year all the legislation upon the organization and management of the institution for the blind was superseded by a new act entitled, "an act to establish an institution for the education of the blind." The new act made the board of trustees, who were to be appointed by the governor and to serve for two years, a corporate body, with all the usual legal powers of such incorporations. The principal change involved in the new act was the abandonment of the policy of a standing annual appropriation and the substitution of the plan of special appropriations to cover the needs of the institution from one session of the legislature to the next. For the year 1857 the appropriation was fixed at \$7,000, which was to be used for supplying the institution with food, clothing, fuel lights, furniture, books, maps, musical instruments, other means of instruction, materials and tools for the manufactures by the students; also for the compensation of the principal, assistant teachers, matron, and for incidental expenses.<sup>6</sup>

<sup>1</sup> The total sum amounted to about \$14,000.

<sup>2</sup> Laws of Mississippi, 1854, pp. 95-97.

<sup>3</sup> *Ibid.*, p. 135.

<sup>4</sup> *Ibid.*, pp. 589-90.

<sup>5</sup> *Ibid.*, 1856, pp. 343.

<sup>6</sup> *Ibid.*, 1856-57 (Adjourned Session), pp. 116-18.

The appropriation carried in the act just discussed apparently was more than sufficient for the purposes named for the year. When the legislature met in regular session in the following November, it voted an appropriation of \$4,000 per annum for the next two years, with the provision that the unused portion of the former appropriation should revert to the general fund in the state treasury.<sup>1</sup> In 1859 the appropriation for current expenses for the ensuing two years was raised to \$6,000 per annum.<sup>2</sup>

*The deaf and dumb.*—Mississippi's school for the deaf and dumb had its beginning as a branch of the Blind Institute under the act of March 1<sup>st</sup> 1854, entitled, "an act to provide for the erection of suitable buildings for the instruction of the deaf, dumb, and blind, and for other purposes." This act required the trustees of the Blind Institute to use one-half the money, which had been placed to the credit of Mississippi under the act of Congress of September 4, 1841, from the sale of public lands within her border, for the erection of suitable buildings for a school for the deaf and dumb. The trustees of the Blind Institute were given full control over the proposed school, and were voted an appropriation of \$2,000 with which to pay the teachers and support the indigent pupils who might enter the institution.<sup>3</sup> The trustees purchased the property of the Cleaver Female Institute, located in the central portion of Jackson, and opened the school there.<sup>4</sup>

The management of the new institution was taken out of the hands of the trustees of the Blind Institute in 1856, and placed under the control of its own board of five members, appointed by the governor.<sup>5</sup> During the following year the legislature passed an act of incorporation for the institution for the deaf and dumb, which was parallel in all respects to the act passed at the same time for the Blind Institute, including the appropriation of \$7,000.<sup>6</sup> The trustees were authorized to exchange the property then used for the school for the property of St. Andrews' College, and an additional appropriation of \$5,000 was made to pay the difference in the value of the property and to complete the buildings and fences and provide for equipment.

The state's policy with reference to the Deaf and Dumb Institution was for the first few years to provide all expenses for pupils who were

<sup>1</sup> *Ibid.*, 1857, p. 42.      <sup>2</sup> *Ibid.*, 1859, p. 192.      <sup>3</sup> *Ibid.*, 1854, pp. 95-96.

<sup>4</sup> Rowland, *Encyclopedia of Mississippi History*, I, 637.

<sup>5</sup> Laws of Mississippi, 1856, p. 343.

<sup>6</sup> *Ibid.*, 1856-57 (Adjourned Session), pp. 114-16.

not able to provide for themselves, but those who were able to do so were to pay tuition and board. The acts of appropriation list in rather full detail the items of expense for which the state made provision. They include food, clothing, medicine, service of physician, books, slates, globes, maps, bedding, and incidentals.<sup>1</sup> The distinction between the indigent and those who were able to pay was removed in 1857 by a provision in an act of that year that "hereafter the benefit of this institution be free to all deaf and dumb pupils resident of this state, of good moral character."<sup>2</sup> The state provided also, beginning in November, 1858, for the payment of the traveling expenses to Jackson of all deaf and dumb children not in the institution who were entitled to its benefits.<sup>3</sup>

For the current expenses of the institution an annual appropriation of \$6,000 was made in 1857 for the succeeding years.<sup>4</sup> In 1860 the amount was raised to \$9,600.<sup>5</sup> In addition to the annual appropriation for general expenses there were a few small appropriations for special purposes.

Cabinet work and carpentry for boys and millinery for girls were added to the curriculum in 1860. The sum of \$500 per annum was appropriated for the boys' shop, which was to be supplemented by the proceeds obtained for the products of the shop. For the female pupils the appropriation was \$100 per annum, which was to be used to employ a milliner to visit the institution and instruct the pupils.<sup>6</sup>

<sup>1</sup> Laws of Mississippi, 1857, p. 40; 1859-60, p. 531.

<sup>2</sup> *Ibid.*, 1857, p. 41.

<sup>3</sup> *Ibid.*, 1858, p. 230.

<sup>4</sup> *Ibid.*, 1857, pp. 40-41.

<sup>5</sup> *Ibid.*, 1859-60, pp. 531-33.

<sup>6</sup> *Ibid.*



## CHAPTER IX

### SUPPLEMENTARY EDUCATIONAL AGENCIES

#### LIBRARIES

*State library.*—The Mississippi State Library has been gradually developed as the result of a series of legislative enactments beginning two years before the close of the territorial period. In an act approved November 29, 1815, the legislature "requested" the secretary of the territory to procure "a complete set of the acts of Congress of the United States of the Union, together with a Digest of laws of the several states of the Union, also three of the most approved Dictionaries of the English Language, a Bible, Jacob's *Law Dictionary* (American edition), Smith's *Wealth of Nations*, Montesquieu's *The Spirit of Laws*, Vattel's *The Law of Nations*, Tucker's *Blackstone*, the book called *The Constitutions of the Several States*, and the work called *The Federalist*, for the use of the legislature of this territory."<sup>1</sup> A year later the legislature passed a resolution entrusting the little library that had been secured to the secretary of the territory during the recesses of the legislature.<sup>2</sup>

In taking over the books collected during the territorial period, the first general assembly of the state authorized the secretary of state to purchase such books as the secretary of the territory was required to purchase, and also to buy copies of a certain map of the United States, of the state of Louisiana, of the world, and of the state of Mississippi.<sup>3</sup>

With the books purchased from year to year under this act as a nucleus, the legislature twenty years later established the state library. The latter act was entitled, "An act to provide for a State Library," and was approved by the governor on February 15, 1838. An initial appropriation of \$3,000 was made for the library, and provision for its gradual enlargement was made by an annual appropriation of \$1,000. There was also an allowance of \$500 per annum for contingent expenses. The library was placed under the control of a board of trustees consisting of the governor, the judges of the high court of errors and appeals,

<sup>1</sup> Digest, 1816, p. 289.

<sup>2</sup> Statutes of Mississippi Territory, 1816, Mississippi State Archives, Series D, No. 11.

<sup>3</sup> Mississippi State Archives, Series I, No. 1.

the chancellor of the superior court of chancery, the secretary of state, the auditor, and the attorney-general.<sup>1</sup>

In 1846 provision was made for the interchange of laws, reports, and legislative documents with other states of the Union for the benefit of the library. There was also a special appropriation of \$2,000 allowed in the same act for debts due by the state for the library.<sup>2</sup>

An act "for the better regulation of the state library," passed in 1848, provided that only one-fifth of the annual appropriation should be expended for law books, and the balance for "such political, historical, scientific, philosophical, and miscellaneous books, manuscripts, maps, etc.," as the trustees should think proper.<sup>3</sup>

*Library societies.*—The number of incorporated libraries in the state prior to 1860 was small. The fact that there were few towns and no cities in the state before the Civil War and that the rural population was sparse made it difficult for a public library to serve acceptably a sufficient constituency to justify its maintenance.<sup>4</sup> Of the fourteen charters granted by the legislature to library societies about one-half of them indicate by their names that they hoped to serve an entire county.

Another possible explanation of the brevity of the list is that it may be incomplete. From 1848 to 1857 library associations and other specified organizations were permitted to secure charters through the clerks of the county probate courts.<sup>5</sup> The records of such charters, if any were secured in this way, were kept in the county court-houses of the respective counties, and in many counties have been lost or destroyed by fires. It is likely, however, that few, if any, libraries were incorporated by the probate clerks, for the incorporation of libraries, it appears, had ceased seven years before the passage of the act conferring this power upon the county officials. The last library association to receive a charter from the legislature was incorporated in 1841.<sup>6</sup> Furthermore, from 1857 to

<sup>1</sup> Laws of Mississippi, 1838, pp. 165-66.

<sup>2</sup> *Ibid.*, 1846, p. 183.

<sup>3</sup> *Ibid.*, 1848, pp. 148-51. A catalogue of the State Library fills fifty-four pages in the Senate Journal of 1856. Thirty-one pages are devoted to listing books on law, and the remainder is divided among the following classifications: Medical; Politics and Political Economy; History; Biography; Geography; Voyages and Travels; Natural History; Agriculture and Horticulture; Arts and Sciences; Polite Literature; Theology and Ecclesiastical History; Phrenology, Education, and Criticism; Miscellaneous; Maps; Pamphlets and Manuscripts.

<sup>4</sup> See Chap. i, pp. 3-6.

<sup>5</sup> Laws of Mississippi, 1848, pp. 103-4. See also p. 64 of this study.

<sup>6</sup> *Ibid.*, 1841, pp. 287-88.

1860, when the power of incorporation had been taken from the probate clerks and given to the governor, no charters were granted for libraries.<sup>1</sup>

Most of the societies controlling libraries were also literary or debating societies. As a rule they were permitted to own property to the amount of \$30,000, two-thirds of which had to be personal property. In some instances the limit was placed at smaller figures.

In the following list the names of all the library associations incorporated by legislative enactment are given, with the name of the county in which each was located and the year of incorporation.

#### LIBRARY SOCIETIES INCORPORATED BY LEGISLATIVE ENACTMENT

Jacksonian Library Society, Wilkinson*.....	1815
Franklin Debating and Library Society, Wilkinson.....	1818
Franklin Debating and Library Society (new charter).....	1819
Mississippi Literary and Library Company of Gibson Port, Claiborne..	1818
Library Society of Greene County, Greene.....	1818
Liberty Debating and Library Society, Amite.....	1820
Pike Library Society, Pike.....	1821
Franklin Library Society, Franklin.....	1828
Brandon Library Society, Rankin.....	1830
Meridian Springs Library Society, Hinds.....	1831
Amite Library and Debating Society, Amite.....	1839
Amite Library and Debating Society (rechartered with higher property limit), Amite.....	1840
Franklin Library and Debating Society, Franklin.....	1840
Yazoo Library Association, Yazoo.....	1840
Tchula Library and Debating Society, Holmes.....	1840
Holly Springs Library and Debating Society, Marshall.....	1841

\* Incorporated in sec. 4 of the act to incorporate Wilkinson Academy. Ms. laws, Territorial Archives, Series D, No. 10.

#### SOCIETIES FOR THE EDUCATION OF YOUTH

There were three charters granted to societies in Mississippi which had for their purpose the assistance of the youth of the state in securing an education. The earliest of these was the Harmony Society of Jefferson County, incorporated in 1823. Its purpose, as declared in its charter, was the promotion of "piety, morality, and the education of the youth of Jefferson County."<sup>2</sup> A similar society, the Yazoo Educational Association, was incorporated in 1860. Its purpose was stated in the charter to be "the education of the boys of Yazoo County."

<sup>1</sup> The charters granted by the governor are preserved in the original record book in the office of the secretary of state.

<sup>2</sup> Laws of Mississippi, 1822-23, pp. 76-77.



It was permitted to own property to the amount of \$50,000.<sup>1</sup> In 1859 there was incorporated the Ministerial Educational Society for the education of ministers of the Methodist Episcopal church. The society was under the supervision of the Mississippi conference. It proposed to raise funds by an annual membership fee of fifty cents, the proceeds from which were to be lent or invested and the interest, only, to be used, until the total funds should amount to the property limit of \$50,000.<sup>2</sup>

## MISCELLANEOUS

Several other societies were incorporated in Mississippi for purposes either directly or indirectly related to the education of the citizenship of the state. The list of these societies is as follows:

Mississippi Society for the Acquirement and Dissemination of Useful Knowledge.....	1803
Natchez Mechanical Society.....	1809
Amite Union Society (for the acquirement and dissemination of useful knowledge).....	1820
Philomathean Society.....	1825
Pontotoc Athenaeum.....	1843
Lexington Literary and Debating Society.....	1846
Historical Society of Mississippi.....	1858
Chatawa Lyceum Hall Association.....	1860
Phi Chapter of the Delta Psi Fraternity at Oxford.....	1860

<sup>1</sup> Laws of Mississippi, 1860, pp. 470-71.

<sup>2</sup> Original Record of Incorporations from 1857 to 1883, pp. 82-83. This record book is in the office of the secretary of state at Jackson, Miss.

## CHAPTER X

### THE ADMINISTRATION AND SUPERVISION OF SCHOOLS AND THE CERTIFICATION OF TEACHERS

#### SCHOOL CONTROL AND SUPERVISION

Very little was accomplished in Mississippi before 1860 toward developing any efficient system of control and supervision of schools. The first attempt to provide for supervision was made in 1821. The county school commissioners, whose prime duty was to supervise the education of poor children at the expense of the Literary Fund,<sup>1</sup> were required to appoint a committee from their body to visit all seminaries of learning, academies, and common schools within their respective counties, "to examine into the qualifications of the teachers or school masters to educate their pupils in the branches of learning taught in such schools, and also their character for morality and sobriety; the discipline and order observed in their schools; the number of scholars, and how far advanced in education; and to report the same to president and directors of the Literary Fund."<sup>2</sup> This provision of the Literary Fund act remained upon the statutes until the passage of the common school act in 1846.

The weakness of this act as it relates to supervision is readily seen. No provision was made to compel the county commissioners or their committee of visitors to perform the duties assigned, or to pay them for their services. Moreover, they had no authority over the schools or teachers of the schools they were required to visit. In the case of academies and colleges the boards of trustees were supreme; in the common schools all real power was conferred upon the township trustees. Apparently the only recourse the county commissioners had, when they did not approve a school, was to refuse to allow any of the poor children educated under their supervision to attend that school.

The authority of the township trustees over the common schools was conferred by the act of January 9, 1824.<sup>3</sup> This act gave the trustees complete control over the schools of their respective townships with the power to locate the schools, to employ and discharge teachers, to

<sup>1</sup> An interpretation of this act as a whole may be found on pp. 27-29.

<sup>2</sup> Sec. 13 of the act, Laws of Mississippi, 1821, pp. 37-44.

<sup>3</sup> See p. 30 for the interpretation of this act.

make all such rules and regulations as they might deem expedient "not contrary to law, nor to the equal privileges of the resident heads of families." These trustees also were given complete control of school lands and township school funds, and were authorized to pay teachers' salaries "in whole or in part out of any money in their treasurer's hands."<sup>1</sup>

For twenty-two years the supreme authority of the township trustees over the schools of their respective townships was unquestioned. But when the common school system of 1846 was adopted, it took from the trustees the greater part of their power. They retained the right to employ and to discharge teachers and to make regulations for the government of the schools, but control of the school lands and school funds, the power to locate schools, to determine the qualifications of teachers, make contracts with them, and pay salaries, in whole or in part, and to have "the general superintendence" of the common schools was given to the county boards of school commissioners created by the act of 1846.<sup>2</sup>

In an effort to give greater uniformity to the school work of the state, the act of 1846 made the secretary of state *ex officio* head of the school system with the title of general school commissioner. His duties, however, were chiefly clerical, and he had no real power. Twice in each year, in June and December, the county commissioners of education were required to make a report to him showing for their respective counties "the situation of schools and school funds; the number of scholars attending schools; the number of teachers; and the amount paid to teachers out of the sixteenth section fund, the common school fund, and by private individuals."<sup>3</sup> The general school commissioner was required to preserve the reports of the county commissioners and to publish in January and July abstracts summarizing the educational work of the state as a whole. For these services he was allowed \$500 a year in addition to his salary as secretary of state.<sup>4</sup>

When the school system of 1846 went to pieces,<sup>5</sup> the counties of the state adopted various plans of control and supervision, individual

<sup>1</sup> Laws of Mississippi, 1824, pp. 9-12.

<sup>2</sup> See pp. 42-44.      <sup>3</sup> Sec. 15 of act, Laws of Mississippi, 1846, pp. 98-104.

<sup>4</sup> Sec. 16 of act. When the legislature assembled in 1848 the general school commissioner made a report in which he explained why he had not published the semiannual abstracts required by law. Only a very few of the county commissioners had made reports to him. He called the attention of the legislature to the fact that there was no means of compelling the county commissioners to report. House Journal, 1848, pp. 1030-36.

<sup>5</sup> See pp. 46-48.



counties often trying several plans during the twelve years from 1848 to 1860. The majority of the counties, however, for at least a part of the time, continued under the provisions of the act of 1846, except

TABLE IX\*

COUNTIES IN WHICH COUNTY COMMISSIONERS OF EDUCATION WERE EMPOWERED TO CONTROL AND SUPERVISE SCHOOLS

Counties	Period	Counties	Period
Adams.....	1848-	Leake.....	1848-
Attala.....	1848-50	Marion.....	1848-
Carroll.....	1858-	Marshall.....	1848-
Calhoun.....	1852-	Monroe.....	1848-50
Chickasaw.....	1848-	Oktibbeha.....	1848-
Choctaw.....	1848-60	Panola.....	1848-
Clarke.....	1848-52;1860-	Perry.....	1848-58
Coahoma.....	1848-56	Pike.....	1848-60
Copiah.....	1848-	Pontotoc.....	1848-
De Soto.....	1848-	Rankin.....	1848-50
Franklin.....	1848-	Simpson.....	1848-50
Greene.....	1848-58	Smith.....	1848-58
Hancock.....	1848-54	Tallahatchie.....	1858-
Harrison.....	1848-	Tippah.....	1848-
Issaquena.....	1848-52	Tishomingo.....	1848-54;1856-
Itawamba.....	1848-54;1856-	Washington.....	1848-50
Jackson.....	1848-	Warren.....	1848-50
Jasper.....	1848-52;1860-	Wayne.....	1848-
Jones.....	1848-54	Yalobusha.....	1856-
Lafayette.....	1848-	Yazoo.....	1848-
Lauderdale.....	1848-50		

\* Where only one date is given in Tables IX-XIV the act continued in force beyond the period covered in this study.

TABLE X

COUNTIES WHICH RETURNED TO TOWNSHIP CONTROL WITHOUT MODIFICATION FROM 1848 TO 1860

Counties	Period	Counties	Period
Attala.....	1850-	Lowndes.....	1848-
Bolivar.....	1848-	Madison.....	1848-
Carroll.....	1848-58	Monroe.....	1850-
Choctaw.....	1860-	Neshoba.....	1848-
Claiborne.....	1848-	Newton.....	1848-
Clarke.....	1852-60	Noxubee.....	1848-
Coahoma.....	1856-	Rankin.....	1850-
Covington.....	1848-	Scott.....	1848-50
Franklin.....	1856-	Simpson.....	1856-
Hinds.....	1850-	Smith.....	1858-
Holmes.....	1850-	Sunflower.....	1848-
Issaquena.....	1852-	Tallahatchie.....	1848-58
Itawamba.....	1858-	Warren.....	1850-
Jasper.....	1852-	Winston.....	1848-
Kemper.....	1848-	Yalobusha.....	1848-56
Lauderdale.....	1850-		

TABLE XI

COUNTIES IN WHICH SCHOOLS WERE CONTROLLED BY TOWNSHIP TRUSTEES AND VISITED AND SUPERVISED BY COUNTY SUPERINTENDENTS

Counties	Period	Counties	Period
Amite.....	1848-50	Lawrence.....	1848-50
Hinds.....	1848-50	*Pike.....	1860-
Holmes.....	1848-50	Tunica.....	1848-
Jefferson.....	1848-	Wilkinson.....	1848-

\* The county superintendent in Pike County divided authority with the township trustees, taking over the powers usually given to county commissioners of education.

TABLE XII

COUNTIES IN WHICH SCHOOLS WERE CONTROLLED BY TOWNSHIP TRUSTEES AND TEACHERS' INSTITUTES WERE HELD BY COUNTY SUPERINTENDENTS

Counties	Period	Counties	Period
Itawamba.....	1854-56	Tishomingo.....	1854-56

TABLE XIII

COUNTIES IN WHICH SCHOOLS WERE CONTROLLED BY COUNTY BOARDS OF POLICE

Counties	Period	Counties	Period
Amite.....	1850-	Scott.....	1850-
Lawrence.....	1850-	Washington.....	1850-
Simpson.....	1850-56		

TABLE XIV

COUNTIES IN WHICH SCHOOLS WERE CONTROLLED BY SEPARATE BOARDS OF THREE MEMBERS FOR EACH POLICE DISTRICT OF THE COUNTIES

Counties	Period	Counties	Period
Greene.....	1858-	Jones.....	1854-
Hancock.....	1854-	Perry.....	1858-

that reports to the general school commissioner in some counties were not required, and where they were legally required, the provision was not enforced. There was a marked tendency toward returning the control of schools to the township trustees, and by 1860 about one-half of the counties had restored the trustees to all their old authority. Seven of the counties that returned to township control in 1848 created

the office of county superintendent,<sup>1</sup> but some of them afterwards abolished this office. In these counties the superintendent was required to visit each public school in his county at least once every three months. He was to examine the record kept by the teacher and all other matters that he might deem important touching the situation—discipline, mode of teaching, and improvement thereof. He was also required to keep a journal of all such examinations, and of his remarks thereon, which should be open to all school officers of the school district concerned, and to make a report thereon annually to the state school commissioner. Two other plans for control of schools adopted by a few counties were: (1) the powers of commissioners were transferred to the county boards of police; (2) boards of three trustees or commissioners for each of the five police districts of the county were substituted for the county commissioners.

In the tables on pages 111 and 112 the method of control and supervision for each county of the state is shown for the period from 1848 to 1860.

#### CERTIFICATION OF TEACHERS

The first legislation that attempted to set a standard for teachers in Mississippi is to be found in the act to establish the Literary Fund, passed in 1821, and reads as follows:

No schoolmaster shall be permitted to take charge of a seminary of learning in this state, who shall not produce to the president and directors of the literary fund, testimonials that he is a citizen of the United States, and qualified to teach the Greek and Latin languages, and that he is of good moral character: *Provided*, That it shall not be required, that the teacher of a common school shall be qualified to teach the Greek and Latin languages.<sup>2</sup>

The proviso seems to indicate that the expression, "seminary of learning," is used in a broad sense to include schools of all grades, but that no literary qualifications were to be required of the teacher of a common school. He needed only to show that he was a citizen of the United States and was of good moral character.

In 1824 the township trustees were authorized to employ "suitable persons" as teachers, but no restrictions were placed upon their judgment as to what qualifications made a person suitable for such employment, other than the provisions just quoted from the act of 1821.<sup>3</sup>

<sup>1</sup> Hinds, Holmes, Jefferson, Lawrence, Tunica, Wilkinson, and Amite. See chap. v, p. 46.

<sup>2</sup> Sec. 13 of act. See pp. 27-29.

<sup>3</sup> Laws of Mississippi, 1824, pp. 9-12. See sec. 3.



No further progress was made toward the examination and certification of teachers until 1846. In that year the county commissioners of education were required to license such teachers as they might think "qualified to teach the various branches of an English education" in the common schools, and no teacher was permitted to receive money from the common school funds without having secured such a license.<sup>1</sup>

The natural result of the disintegration of the public-school system adopted in 1846 was that some counties should progress and others should retrograde. To a certain extent this is what happened in the matter of certification of teachers. As a rule the counties which returned to the plan of township control of schools without county superintendents ceased to require that teachers should be licensed.<sup>2</sup> Holmes County was a notable exception to this rule.<sup>3</sup> The counties which retained the method of control provided in the act of 1846 generally continued the provisions for licensing teachers, in most cases, without change. In some counties the requirements for license were made more definite. The counties of Amite, Hinds, Holmes, Jefferson, Lawrence, Tunica, and Washington in 1848 put the duty of examining teachers upon the county superintendents, and specified that they should be examined in any subjects they thought themselves qualified to teach, that the subjects in which they were found qualified should be written in the license, that teachers should not be allowed to teach any subject not specified in their licenses, and that no license should be granted to applicants not qualified to teach reading, writing, and arithmetic.<sup>4</sup> Holmes County, in 1850, substituted a board of three examiners, appointed by the board of police, for the county superintendent in the certification of teachers.<sup>5</sup> In Carroll, Copiah, and Harrison counties the subjects upon which teachers must be examined were specified in 1858 as follows: spelling, reading, writing, geography, and English grammar.<sup>6</sup> In Tishomingo County after 1858 it was required that a teacher "shall be examined and found proficient to teach all the branches he had proposed to teach in his school, and which shall at least amount to the rudiments of an English education."<sup>7</sup>

<sup>1</sup> Laws of Mississippi, 1846, p. 99.

<sup>2</sup> See Table X, p. 111.

<sup>3</sup> Laws of Mississippi, 1850, pp. 160-67, sec. 12.

<sup>4</sup> *Ibid.*, 1848, pp. 238-43, sec. 16.

<sup>5</sup> *Ibid.*, 1850, pp. 160-67, sec. 12.

<sup>6</sup> *Ibid.*, 1858 (November), pp. 94-99.

<sup>7</sup> *Ibid.*, p. 211.

## CHAPTER XI

### FEDERAL AND STATE AID TO EDUCATION

#### FEDERAL GRANTS

The several grants of the federal government to the aid of education have been discussed in connection with the immediate objects for which the grants were made. In this chapter it will be sufficient to group together and briefly summarize the federal legislation upon this subject.

By a series of acts, beginning in 1803, Congress reserved for common schools the sixteenth sections of all townships in the state, except in those of the Chickasaw cession of 1832.<sup>1</sup> In the old Natchez district and in the Florida annexation of 1812, some of the sixteenth sections were claimed by private individuals by virtue of British or Spanish grants. Most of the townships whose sixteenth sections were pre-occupied, however, found relief in the act of 1806, which permitted any such township to select any other section of public land within its borders in lieu of its sixteenth section, and if there were no other section of public land within its limits, to locate a section for school purposes in any adjoining township.<sup>2</sup> As a result of these several acts almost every township outside of the Chickasaw cession had its own school section, managed and controlled by its own township board of trustees.

After the Chickasaw cession had been opened for settlement, Congress, in 1836, reserved instead of the sixteenth sections a quantity of land equal to one thirty-sixth of the total area of the lands ceded by the Chickasaws, to be selected by the secretary of the treasury in sections, half-sections, and quarter-sections from any unsold public lands in the state, which lands were to vest in the state for the use of the Chickasaw counties.<sup>3</sup> The selections made by the secretary of the treasury seem to have given general dissatisfaction, and the state failed to receive them. In 1842, in response to a memorial from the legislature, Congress authorized the governor of Mississippi to select the lands reserved for the benefit of schools in the Chickasaw counties.<sup>4</sup> The legislature thereupon authorized the governor to appoint a board of commissioners to examine the public lands and recommend tracts for

<sup>1</sup> See chap. iii, pp. 25-26.

<sup>2</sup> *Ibid.*

<sup>3</sup> *United States Statutes at Large*, V, 116.

<sup>4</sup> *Ibid.*, V, 490-91.

reservation.<sup>1</sup> The lands previously located by the secretary of the treasury were released and those selections "made or hereafter to be made by the governor" were received. These lands were under the control of the legislature instead of local boards as in the other parts of the state.

The first federal grant to higher education in Mississippi was made to Jefferson College in 1803. It carried with it thirty-six sections of land to be located by the secretary of the treasury, and two town lots in Natchez, with an outlet adjoining, not exceeding thirty acres, to be located by the governor of Mississippi Territory.<sup>2</sup> The township was located on the Tombigbee River, within the borders of the present state of Alabama. Congress permitted the trustees of the college to surrender these lands in 1832 and substitute an equal quantity of land within the state of Mississippi, to be located by the purchasers of the land. The trustees were thus authorized to sell any tract of public land in the state to any person who wanted that particular tract until they had sold a quantity equal to the original grant of thirty-six sections. Congress fixed the price of these lands at \$6.50 an acre, and permitted the trustees to receive payment from purchasers in annual instalments.<sup>3</sup>

The "Seminary Lands," a second township of land for the aid of higher education, were granted in 1819, and the state was made trustee of the lands. This grant has been discussed in the chapter "Higher Education in Mississippi from 1817 to 1860."<sup>4</sup>

One other federal grant to the state was used for an educational purpose. The funds appropriated in 1841 to the state as its share of the distribution of the proceeds of the sale of public lands were accepted in 1854 and divided equally between the institutions for the blind and for the deaf and dumb.<sup>5</sup>

#### SUPPORT OF COMMON SCHOOLS

Common schools in Mississippi received partial support from common school funds, from indirect taxes, from direct taxes, and from appropriations from the general fund in the state treasury.

##### I. COMMON SCHOOL FUNDS

There were four distinct funds prior to the Civil War that contributed to the support of common schools. Two of these, the Sixteenth Section Fund and the Chickasaw Fund, were derived from the federal land

<sup>1</sup> Laws of Mississippi, 1844, pp. 238-40.

<sup>2</sup> *United States Statutes at Large*, II, 234.

<sup>3</sup> *Ibid.*, VI, 484-85.    <sup>4</sup> See p. 79.    <sup>5</sup> See p. 101.



grants; the other two, the Literary Fund and the county school funds, usually referred to as the Common School Fund, were the result of state appropriation. To prevent confusion it seems advisable to define each of these funds, but only the latter two require further discussion than has been given in other chapters.<sup>1</sup> The funds may be distinguished as follows:

1. *Sixteenth Section Fund*.—This is a generic name for all township funds realized from the leasing of lands donated by the national government for the endowment of common schools in Mississippi outside of the Chickasaw cession. It has been shown in chapter iv of this study that by 1860 this fund had been lost to nearly all the townships through bad investments, poorly secured loans, or expenditures for temporary needs of the schools.

2. *Chickasaw Fund*.—This fund represents the sum of money realized from the sale of public lands given by the national government to the state for the endowment of common schools in the Chickasaw counties. These lands were sold for \$6.00 an acre, the state used the fund, and paid interest to the Chickasaw counties in proportion to their area.<sup>2</sup>

3. *Literary Fund*.—This fund was created by the Mississippi general assembly in 1821 by an act which appropriated "to the encouragement of learning" all escheats, confiscations, forfeitures, and "all personal property accruing to the state as derelict," and all fines assessed by any court in the state, unless otherwise appropriated.

The act of 1821 provided that the revenue accruing from the sources named should be under the control of a corporation, which was called "The President and Directors of the Literary Fund." This corporation was composed of the governor of the state, the lieutenant-governor, the secretary of state, the attorney general, the presiding judge of the supreme court, the chancellor of the state, and three persons to be chosen by the general assembly. The president and directors were required

<sup>1</sup> Swift, *A History of Public Permanent Common School Funds in the United States*, confuses the different funds of this state. He begins his chapter on Mississippi school funds with the following statements: "It would appear that Sixteenth Section Fund is the title applied officially today to what was originally known as the Literary Fund. It would be more clear to call this fund the Choctaw Fund." The confusion of Sixteenth Section Fund and the Literary Fund seems inexcusable. As to the suggestion that the Sixteenth Section Fund be called the Choctaw Fund it might be observed that the act of 1803, reserving sixteenth sections, applied at that time only to the Natchez district, which was never Choctaw territory.

<sup>2</sup> Laws of Mississippi, 1856, p. 141.

to appoint five or more commissioners of education in each county who should superintend the education of poor children in their respective counties. These commissioners were to determine "what number of poor children" they would educate, to send such children to any convenient school to be taught reading, writing, and arithmetic, and to draw upon the Literary Fund to pay their tuition. The portion of the fund not required for the education of the poor was to accumulate as an endowment for common schools. When the fund should amount to \$50,000 it was to be distributed to the counties of the state.<sup>1</sup>

The general assembly in 1826 ordered the Literary Fund to the amount of \$12,000 to be invested in stock of the Bank of Mississippi, and in 1828 authorized the governor to invest the remainder of the fund, as it came in, in this bank.<sup>2</sup> In 1831 the stock of the Bank of Mississippi held by the Literary Fund was ordered sold and the proceeds invested in stock of the Planters' Bank.<sup>3</sup> By 1833 the fund had amounted to \$50,000, and under the act creating it should have been distributed to the counties. The legislature, however, in ordering the distribution, modified the act so that the money should remain part of the funded stock of the Planters' Bank, and only the shares should be distributed to the counties on the books of the bank. This distribution was made on a basis of the white population of the several counties. The dividends only were actually distributed to the counties.<sup>4</sup> As additional sums accrued to the Literary Fund each year they were invested in Planters' Bank stock, of which there seems to have been an unlimited supply. When the bank failed, the entire accumulated fund was lost, and the revenue that had gone to the fund under the act of 1821 was transferred in 1839 to the support of academies.<sup>5</sup>

4. *County Common School Funds*.—These funds, frequently called after 1846 by the generic phrase "Common School Fund," were of two classes: those in which the principal was used for common schools, and those which were invested and the interest only applied to educational purposes. They may be defined as all funds created in the various counties by the act of 1846 and subsequent special legislation from escheats, fines, and license fees, supplemented in some cases by direct taxation within the several counties.

The Common School Fund created by the act of 1846 was of the first class mentioned above. Under the provisions of section 7 of this

<sup>1</sup> Hutchinson, *Code of Mississippi*, p. 205.

<sup>2</sup> Laws of Mississippi, 1826, p. 129; 1828, p. 130.

<sup>3</sup> Hutchinson, *op. cit.*, p. 212.

<sup>4</sup> Laws of Mississippi, 1824-38, pp. 460-62. <sup>5</sup> *Ibid.*, 1839, pp. 38-40. See p. 33.

act all fines, forfeitures, and amercements that were decreed, ordered, or adjudged by any court in the state, and all moneys arising from licenses granted to hawkers and peddlers, keepers of billiard tables, retailers of vinous and spirituous liquors, and brokers, were to be paid into the treasuries of the counties in which they were collected and were to constitute the County Common School Fund. Those counties in which there was a school tax levy were to include the resulting tax in the fund. In the majority of the counties of the state a county school fund of this type was maintained continuously from 1846 until 1860.

The second class of County Common School Funds might be called the County Endowment Funds. They were created by special acts of the legislature providing educational laws for various counties from 1850 to 1860. The source of revenue for these funds and the methods of management differed in the several counties that possessed them. In all cases, however, the funds were derived from some, if not all, of the following sources: escheats, fines, and license fees. As a rule, the counties which created these endowment funds were the more backward counties. They levied no tax for schools and, it appears, made no serious effort to support them at public expense. The funds of this class in all cases were lent under the restrictions provided for the sixteenth section funds, and the interest only could be used for educational purposes. In some few cases the interest itself was not used, but was added to the fund and lent out.<sup>1</sup> In other counties the interest from the fund was used to pay the tuition of poor children in private schools.<sup>2</sup> Sometimes the counties distributed the funds to the townships, under a requirement that the township trustees should put their respective portions at interest and manage them as township endowment funds.<sup>3</sup>

## II. TAXATION FOR COMMON SCHOOLS

Indirect taxation for common schools was more popular and more prevalent than direct taxation. With the exception of a period of seven years indirect taxes were levied for the support of common school funds from 1821 to 1860. These taxes provided the source of revenue for the Literary Fund from 1821 to 1839 and for the common school funds from 1846 to 1860, and have been mentioned in the discussion

<sup>1</sup> Sec. 7 of act for Jones County, Laws of Mississippi, 1850, pp. 226-28.

<sup>2</sup> Act for Scott County, Laws of Mississippi, 1850, p. 147.

<sup>3</sup> The policy of lending the common school fund was pursued for varying periods of time in the following counties: Coahoma, Choctaw, Clarke, Franklin, Greene, Itawamba, Jasper, Jones, Lafayette, Madison, Oktibbeha, Panola, Perry, Pontotoc, Scott, Simpson, Smith, Tishomingo, and Yalobusha.



of those funds. It should be observed that for the whole period from 1821 to 1860 that escheats, confiscations, forfeitures, fines assessed in any court were appropriated for educational purposes, and that license fees required of peddlers, brokers, keepers of billiard tables, and retailers of alcoholic liquors, were devoted to common schools after 1846. There are no statistics available to indicate how much accrued to the various school funds from these sources, but the total sum must have been considerable. The amount of the fees required for license from the peddlers, brokers, keepers of billiard tables, and liquor dealers in 1848 was as follows:<sup>1</sup>

Hawkers and peddlers, per annum.....	\$ 10 to \$ 50
Brokers, per annum.....	100
Keepers of billiard tables, per annum.....	100
Retailers of liquors (towns), per annum.....	250 to 1,000
Retailers of liquors (country), per annum....	50 to 1,000

The first attempt at direct taxation in the interest of common schools was made in 1821 in the law creating the Literary Fund.<sup>2</sup> This feature of the law was so unpopular that the section providing for the tax was repealed in 1823 and the tax that had been collected under the act in 1822 was ordered returned to the counties from which it came.<sup>3</sup> In 1830 a second attempt to levy a direct tax for the Literary Fund also came to grief.<sup>4</sup> The act, approved in February of this year, was repealed in the following December.<sup>5</sup> No further attempt to impose direct taxation for school purposes was made until 1846. It has been observed that the school law of that year authorized a permissive school tax equal to the state tax for general purposes, which could be levied by the county boards of police only upon the initiative of the citizens of the several townships in their respective counties.<sup>6</sup> In the school legislation of 1848 and subsequent years, the provision for the initiative was repealed in a number of counties, leaving the boards of police free to levy a school tax if they thought fit. In other counties a school tax was made compulsory, and in some counties a permissive township tax was authorized in addition to the county school tax. Some counties abandoned the principal of direct taxation *in toto*, and others acting under the permissive laws, doubtless, never levied a school tax. Table XV

<sup>1</sup> Hutchinson, *op. cit.*, pp. 183, 270, 471, 493.

<sup>2</sup> Laws of Mississippi, 1821, p. 27.

<sup>3</sup> *Ibid.*, 1822-23, p. 103.

<sup>5</sup> *Ibid.* (November), p. 19.

<sup>4</sup> *Ibid.*, 1830, p. 38.

<sup>6</sup> See interpretation of this act, pp. 42-44.

TABLE XV\*

AN ANALYSIS OF LEGISLATION REGARDING DIRECT TAXATION FOR COMMON SCHOOLS  
IN THE SEVERAL COUNTIES FROM 1848 TO 1860

County	Compulsory County Tax	Permissive County Tax	Permissive Township Tax
Adams.....		25% (1848-)	
Amite.....	25% (1848-)		
Attala.....		25% (1848-50)	
Bolivar.....			
Calhoun.....			
Carroll.....	Sufficient to pay tuition of all educable children (1858-)		
Chickasaw.....		25% (1848-56); 1858-	
Choctaw.....		25% (1848-56)	
Claiborne.....	25% (1850-)¶		
Clarke.....		25% (1848-60)	
Coahoma.....		25% (1848-56): 50% (1856-)	50% (1860-)‡
Copiah.....	Same as Carroll (1858-59); 50% (1859-)	25% (1848-58)	
Covington.....		50% (1856-)	50% (1856-)
De Soto.....		25% (1848-56)	
Franklin.....		25% (1848-)	Sufficient to maintain free schools, 12 months or less (1854-)
Greene.....		25% (1848-)	
Hancock.....		25% (1848-)	
Harrison.....	Same as Carroll (1858-)	25% (1848-58)	
Hinds.....	25% (1848-)†		75% (1850-)†
Holmes.....	25% (1848-)		50% (1850-)†
Issaquena.....		25% (1848-)	
Itawamba.....		25% (1848-56)	
Jackson.....		25% (1848-)	
Jasper.....		25% (1848-60)	
Jefferson.....	25% (1848-)		50% (1850-)
Jones.....		25% (1848-50)	
Kemper.....			
Lafayette.....		25% (1848-56)	
Lauderdale.....		25% (1848-)	
Lawrence.....	25% (1848-50)		
Leake.....		25% (1848-)	
Lowndes.....			
Madison.....	25% (1850-)†		75% (1850-)†
Marion.....		25% (1848-)	
Marshall.....		25% (1848-56)	
Monroe.....		25% (1848-50)	
Nashoba.....			
Newton.....			
Noxubee.....			
Oktibbeha.....		25% (1848-56)	
Panola.....		25% (1848-)	
Perry.....		25% (1848-)	

TABLE XV—*Continued*

County	Compulsory County Tax	Permissive County Tax	Permissive Township Tax
Pike.....		25% (1848-)	
Pontotoc.....		25% (1848-56)	
Rankin.....		25% (1848-50)	
Scott.....			
Simpson.....		25% (1848-56); 50% (1856-)	50% (1856-)
Smith.....		25% (1848-)	
Sunflower.....			50% (1860-) <sup>‡</sup>
Tallahatchie.....			
Tippah.....		25% (1848-56)	
Tishomingo.....		25% (1848-56)	
Tunica.....	25% (1848-)		
Warren.....	25% (1850-) <sup>†</sup>	25% (1848-50)	
Washington.....		25% (1848-)	
Wayne.....		25% (1848-)	
Wilkinson.....	25% (1848-)		
Winston.....			
Yalobusha.....			
Yazoo.....	25-100% (1850-) <sup>†</sup>		50% (1850-) <sup>†</sup>

\* Rate of taxation is given in percentage of state tax for general purposes. Duration of act authorizing or requiring tax levy indicated in parentheses after each statement of rate.

† Must be approved at referendum election before the tax can be levied.

‡ Must be initiated by petition from majority of heads of families.

¶ Annual referendum required 1850-54.

presents an analysis of the school legislation from 1848 to 1860 as it bears on the question of direct taxation, showing the nature of the law on this question as it applied to each county during the whole period. Counties for which the table gives no data, like Bolivar and Newton, had no law authorizing a direct school tax at any time during the twelve years.<sup>1</sup>

### III. APPROPRIATIONS FROM THE GENERAL FUND

The legislature of 1850 passed an act entitled, "an act to promote common schools in the state." The purpose was evidently twofold: to provide much needed financial assistance for the common schools, and to arouse the several counties to keener efforts in behalf of their schools. Under this act an initial sum of \$200,000 and subsequent annual sums of \$50,000 were appropriated "out of any monies in the treasury of the State" for distribution to the several counties of the state for common school purposes.<sup>2</sup> The money was to be used in

<sup>1</sup> The rate of taxation is stated in the table as in the acts themselves, in terms of the state tax for general purposes. The tax rates varied during the period. In 1848 the land tax was  $2\frac{1}{2}$  mills, in addition to which there were varying rates of personal property taxes.

<sup>2</sup> Laws of Mississippi, 1850 (Regular Session), p. 67.



some counties for improvement or current expenses of schools; in others, to be added to the county endowment funds for elementary education. The distribution was to be made upon the basis of the number of white children between the ages of six and twenty years in the several counties, but *no county was to have a share unless it levied a special school tax amounting to at least one-fourth of its share of the state appropriation.* Some delay seems to have been encountered in getting the enumeration of school children from the counties that qualified to participate in the distribution. When the legislature met in 1852, no distribution of funds had been made. This legislature, having made several minor amendments to the act of their predecessors, ordered the distribution of the initial appropriation of \$200,000, and also the two annual appropriations for the years 1851 and 1852, making the total appropriation for that year \$300,000.<sup>1</sup> The state auditor's reports show that \$282,989.77 of the amount was disbursed in 1852, \$2,975.32 in 1853, and \$13,801.49 in 1854, making the total distribution \$299,766.58.<sup>2</sup> The amended act of 1852 suspended the annual distribution of \$50,000 for the year 1853, with the provision that it should be resumed April 1, 1854, but the reports of the auditor for the years following do not show a resumption of disbursements. The act was, in effect, repealed in 1857 by being omitted from the *Revised Code* of that year.

#### STATE AID FOR SECONDARY SCHOOLS

##### I. LOTTERIES

The practice of permitting the trustees of schools to raise funds by means of lotteries began in Mississippi with the first act of the territorial assembly upon the question of education—the incorporation of Jefferson College.<sup>3</sup> Six of the eight academies incorporated during the territorial period were granted the privilege of raising in this manner amounts varying from \$1,000 to \$5,000. The general assembly passed an act upon gaming in 1822, which forbade the holding of lotteries, except when authorized by a special act of the assembly. The practice of permitting academies to raise funds in this way was not discontinued,

<sup>1</sup> *Ibid.*, 1852, pp. 156-57. See also Barnard, *The American Journal of Education*, I, 447.

<sup>2</sup> Auditor's Reports, House Journal, 1854, p. 34, and Senate Journal, 1856, p. 40. The entire disbursement for 1854 represented delayed settlements with the counties of De Soto and Rankin.

<sup>3</sup> The propriety of including lotteries under state aid may be questioned. It seems to the writer that they were in effect an indirect tax upon the citizenry of the state, and may, therefore, be included under this head.

however, until 1833. In Table XVI the limit placed upon the lottery privilege of the academies incorporated during the territorial period is given. After the admission of Mississippi as a state, the following academies were given the privilege of raising by lottery the amounts stated:

Hancock College, 1818.....	\$ 4,000
Hancock College, 1819.....	20,000
Pearl River Academy (Monticello), 1819.....	10,000
Natchez Academy, 1819.....	20,000
Columbian Academy, 1820.....	2,000
Elizabeth Female Academy, 1820.....	10,000
Franklin Academy (Columbus), 1821.....	5,000
Clinton Academy (Port Gibson), 1826.....	2,000
Mississippi Academy (Clinton), 1827.....	20,000
Westville Academy, 1827.....	5,000
Benton Academy, 1829.....	5,000
Pearl River Academy (Brandon), 1829.....	5,000
Brandon Academy, 1833.....	5,000

## II. EXEMPTIONS

Exemption from taxation is another form of state aid that was employed from early territorial days. It was often granted specifically in charters, and was conferred upon all incorporated educational institutions by the revenue laws after 1822.<sup>1</sup>

TABLE XVI  
TERRITORIAL AID TO ACADEMIES

Name	Date of Incorporation	Lottery Privilege	Exempt from Tax?	Direct Grant
Franklin Society.....	1807	.....	No	.....
Madison Academy.....	1809	\$2,000	No	.....
Washington Academy.....	1811	5,000	Yes	\$500
Greene Academy.....	1812	4,000	Yes	500
Jackson Academy.....	1814	1,000	No	.....
Amite Academy.....	1815	3,000*	No	.....
Pinckneyville Academy....	1815	.....	No	.....
Wilkinson Academy.....	1815	1,000	No	.....

\* Supplementary act, 1816.

## III. APPROPRIATIONS

Only once, in 1816, did Mississippi make an appropriation from the general fund in the treasury for the benefit of academies. At that time the territory donated \$500 each to St. Stephens Academy (probably identical with Washington Academy) and to Greene Academy.<sup>2</sup>

<sup>1</sup> Poindexter: Revised Code, p. 285.

<sup>2</sup> Digest, 1816, p. 80.

## IV. INDIRECT TAXES

For a period of seven years, beginning in 1839, Mississippi assisted a large number of academies in the state by appropriating to their support "all fines, penalties, forfeitures, and amercements which had been assessed by any court in the state" and had not been paid into the Literary Fund, and all which might thereafter be assessed.<sup>1</sup> Thirty academies in twenty-two counties were named in the act as beneficiaries of these funds in their respective counties, and the boards of police were authorized to designate the recipients of the funds of the other counties.<sup>2</sup>

While the law providing for the assistance of academies throughout the state by means of indirect taxation was effective only seven years, there were some academies, both before and after this seven-year period, which received assistance from this source. As early as 1827 the Fayette Academy was given the proceeds from licenses to keepers of billiard tables and from the sales of estrays throughout Jefferson County.<sup>3</sup> The same legislation was enacted for Clinton (afterwards Port Gibson) Academy in Claiborne County.<sup>4</sup> Other special acts of the legislature assigned to academies in various counties the revenue arising from some of the following sources: escheats, sales of runaway slaves, fines, forfeitures, license fees for hawkers, peddlers, inn-keepers, keepers of private houses of entertainment, ten-pin alleys, ferries, auctioneers, and retailers of vinous and spirituous liquors.<sup>5</sup> The custom of devoting the proceeds of liquor licenses to the cause of education seems to have been begun in Mississippi with the common school law of 1846. One of the supplements to that law, passed at the same session of the legislature, provided that an exception should be made of the town of Canton so far as the license fees from saloons were concerned, and that these fees should go to the Canton Female Academy instead of the common schools. Similar acts in the years following diverted a part and frequently all the revenue from liquor licenses in their respective counties to the following academies: Lexington Male and Female (1846), Aberdeen Female (1848), Polkville (1850), Macon Female Institute and

<sup>1</sup> Laws of Mississippi, 1839 (Adjourned Session), pp. 38-40.

<sup>2</sup> In four counties the funds did not go to secondary education, but were appropriated as follows: Adams, to Orphan Asylum; Lowndes, to common schools; Warren, to poor house; Yazoo, to Yazoo Library Association. See p. 63 and footnote.

<sup>3</sup> Laws of Mississippi, 1827, pp. 58-59.

<sup>4</sup> *Ibid.*, 1829, pp. 46-47.

<sup>5</sup> *Ibid.*, 1838, pp. 78-82; 1850, p. 493; 1852, p. 436; 1860, p. 300.



Macon Male Academy (1850), Yazoo Female (1850), the incorporated institutions of Holmes County (1852), Fayette Female (1852), Franklin, in Lowndes County (1860).

#### V. SIXTEENTH SECTION AND COMMON SCHOOL FUNDS

There are a number of acts of the legislature which authorize academies to receive sixteenth section funds from the township in which they were located, or a share of the county Common School Fund of their county. The use of the latter funds by academies was usually limited to the pro rata share of the Common School Fund that properly belonged to the children of the county who attended the academy.<sup>1</sup>

The following academies were beneficiaries of the sixteenth section fund. The year in which the use of the fund was granted is indicated in each case.<sup>2</sup>

Franklin Academy, 1821.

Marion Academy (Wilkinson), 1830.

Brandon Academy, 1836.

An Academy—supported by two adjacent townships in Wilkinson County, 1836.

Plymouth Male and Female Academy, 1839.

Vicksburg Female Academy, 1840.

The Greensboro Academies, 1840.

Grenada Male Academy and Grenada Female Academy, 1841.

Polkville Academy, 1850.

#### SUPPORT OF HIGHER EDUCATION

No regular support of higher education in Mississippi was provided until after 1848. Previous to that time a number of concessions were made to various institutions in the way of direct or indirect financial assistance. The most frequent indirect aid to colleges was exemption from taxation, which was given without exception to all higher institutions in the state. Some of the earlier institutions were also given the privilege of raising funds by lotteries. Jefferson College, for instance, was permitted to raise \$10,000 in this way, and Mississippi College was authorized to raise \$20,000.<sup>3</sup> For ten years, from 1811 to 1821, Jefferson College was also given all escheats in Mississippi.<sup>4</sup> There are also

<sup>1</sup> Laws of Mississippi, 1854, p. 429.

<sup>2</sup> *Ibid.*, 1821, pp. 73-75; 1830, p. 51; 1836, p. 392; 1839, p. 357; 1840, p. 131; *ibid.*, p. 157; 1841, p. 258; 1850, p. 395. See abstracts of charters in Appendix A.

<sup>3</sup> Digest, 1816, p. 310.

<sup>4</sup> Mayes, "History of Education in Mississippi," United States Bureau of Education, *Circular of Information*, No. 2.

three instances of loans of money from the state treasury to colleges. Two of these were made to Jefferson College—\$6,000 in 1816 and \$4,000 in 1820;<sup>1</sup> the third loan was to Mississippi College—\$5,000 in 1829.<sup>2</sup> None of these loans were repaid by the colleges. The claim against Mississippi College was cancelled by the legislature in 1854,<sup>3</sup> and the two against Jefferson College in 1858.<sup>4</sup> Mississippi College was also granted the rents from the seminary lands in 1827 for a period of five years.<sup>5</sup>

Beginning in 1848 the legislature made regular semiannual appropriations to the support of the state university, in addition to a number of special appropriations. The sum of \$50,000 was appropriated to the trustees of the university in 1846 for building purposes.<sup>6</sup> In 1848 a standing semiannual appropriation amounting to \$6,226.75 per annum was made for the support of the institution. This was evidently intended as payment of interest upon the portion of the Seminary Fund that had been collected and was then in the state treasury. The act provided also that 6 per cent should be paid by the state upon all sums thereafter paid into the state treasury to the credit of the university.<sup>7</sup> In 1850 a second semiannual appropriation amounting to \$6,000 a year was made for the maintenance of a department of "Agricultural and Geological Science."<sup>8</sup> In 1854 the law department was established, for which an annual appropriation of \$2,000 was allowed.<sup>9</sup> This sum was increased to \$4,000 a year in 1860.<sup>10</sup> The rapid growth of the university soon made a more adequate plant necessary. To meet this need the legislature of 1856 made an appropriation of \$100,000, to be paid in five annual instalments, for buildings, library equipment, and "other pressing wants" of the institution.<sup>11</sup> In 1860 the annual instalments of \$20,000 were ordered continued for two years longer, bringing the total appropriation for these purposes to \$140,000.<sup>12</sup>

The total amount appropriated to the university from 1846 to 1860 appears to have been \$340,321, in addition to 6 per cent interest on funds that came into the treasury to the credit of the institution after 1848. The purposes for which the various sums were appropriated

<sup>1</sup> Digest, 1816, p. 453; Laws of Mississippi, 1820, p. 53.

<sup>2</sup> Laws of Mississippi, 1829, pp. 54-55.

<sup>3</sup> *Ibid.*, 1854, p. 470.

<sup>4</sup> *Ibid.*, 1858, p. 170.

<sup>5</sup> *Ibid.*, 1827, pp. 85-86.

<sup>6</sup> *Ibid.*, 1846, pp. 104-5.

<sup>7</sup> *Ibid.*, 1848, pp. 104-5.

<sup>8</sup> *Ibid.*, 1850, p. 127.

<sup>9</sup> *Ibid.*, 1854, p. 160.

<sup>10</sup> *Ibid.*, 1859-60, p. 239.

<sup>11</sup> *Ibid.*, 1856, p. 76.

<sup>12</sup> *Ibid.*, 1859-60, p. 238.

with the total amount of the appropriations may be summarized as follows:

For buildings and equipment, 1846. ....	\$ 50,000
Semiannual appropriation for support, 1848-60. ....	74,721
Department of Agriculture and Geology, semiannual appropriation, 1851-60. ....	60,000
Department of Law, \$2,000 per annum, 1854-60 and \$4,000 in 1860	16,000
Buildings, library, and other "pressing wants," annual appropriation of \$20,000 for five years. ....	100,000
Above annual appropriation authorized for two additional years, 1860	<u>40,000</u>
Total appropriations. ....	\$340,721



## APPENDIX A

### ABSTRACT OF CHARTERS OF SECONDARY SCHOOLS AND HIGHER INSTITUTIONS

Unless otherwise specified, references in the margin are to pages of the printed session laws for the session indicated by the date of incorporation. References to manuscript laws are indicated by the abbreviations T.A. and S.A., for Territorial Archives and State Archives, respectively, and are followed by the statement of the series and number in which they may be found in the State Department of Archives and History at Jackson. For instance: T.A., D, 8 means Territorial Archives, Series D, Number 8.

#### I. ACADEMIES AND OTHER SECONDARY SCHOOLS

ABSTRACTS	Reference
<i>Franklin Society:</i>	
Cato West and twenty-one others incorporated for the purpose of maintaining Franklin Academy. May hold property, provided annual income therefrom shall not exceed \$20,000. May make regulations for the election of new members to the society. January 8, 1807.	Digest (1816), 52.
<i>Madison Academy:</i>	
Thirteen trustees incorporated. May receive donations. Self-perpetuating. Shall examine proficiency of students, elect president and professors, make regulations for academy, and provide equal advantages for all religious denominations. May raise \$2,000 by lottery. December 5, 1809.	Digest (1816), 53.
<i>Washington Academy:</i>	
Twenty-seven trustees incorporated. May employ teachers and remove them at pleasure. Shall make regulations for government of academy. Self-perpetuating. Exempt from tax. May raise \$5,000 by lottery. December 17, 1811.	T.A., D, 8.
Amendment, December 24, 1814: New board of twelve trustees incorporated.	Digest (1816), 54-55.
<i>Greene Academy:</i>	
Fifteen trustees incorporated. Located in Madison County. <sup>1</sup> Trustees may select site, engage president and	Digest (1816), 56-57.

<sup>1</sup> The first Madison County, in Alabama after division of Mississippi Territory.

other professors, supersede them at pleasure, make laws for the government of the academy and for promoting morality among the students. Self-perpetuating. Exempt from taxation. May raise \$4,000 by lottery. November 25, 1812.

*Jackson Academy:*

Established in Wilkinson County under the superintendence of nine trustees who are made a self-perpetuating corporate body. May employ principal professor and other teachers and remove them at pleasure. Shall hold stated meetings for examining proficiency of students. Make regulations for government of academy and the promotion of learning, virtue, and morality among the students. May raise by lottery \$1,000. December 27, 1814. Digest (1816), 57.

*Wilkinson Academy:*

Under the superintendence of nine trustees. Power to receive donations. Self-perpetuating. May engage a teacher or teachers. Shall examine the proficiency of students, and make regulations for government of the institution and for promoting learning, virtue, and morality. May raise by lottery \$1,000. December 23, 1815. Digest (1816), 59.

*Pinckneyville Academy:*

In Wilkinson County. Board of nine trustees incorporated. May receive donations. Self-perpetuating. May engage principal and other teachers. Shall hold stated and called meetings for examining into the proficiency of students, and shall make laws for the government of the institution and for promoting learning, virtue, and morality among the students. December 23, 1815. Digest (1816), 58-59.

*Amite Academy:*

Eleven trustees made a corporate body. May select site within three miles of Liberty, Amite County. Self-perpetuating. May employ teachers and remove them at pleasure. Shall hold stated and called meetings for examining into the proficiency of students, and make regulations for the government of the academy, and for the promotion of learning, virtue, and morality among the students. December 8, 1815. Digest (1816), 57-58.

Amendment authorizing the trustees to raise \$3,000 by lottery. December 6, 1816. T.A., D, 10.

## Reference

*Hancock College:*

Ten trustees incorporated. Self-perpetuating. May receive donations; select site for school within the corporate limits of Shieldsborough, Hancock County; employ faculty and displace them at pleasure. Exempt from taxation. May raise by lottery \$4,000. January 31, 1818. S.A., I, 1.

Amendment increasing the limit of sum to be raised to \$20,000. January 29, 1819.

*Beach Hill Academy:*

Five trustees incorporated. May raise subscriptions and receive donations, not to exceed \$10,000. Self-perpetuating. February 6, 1819. S.A., I, 2.

*Pearl River Academy:*

Five trustees incorporated. May purchase real estate, receive donations, devise, and bequests, and raise by lottery \$10,000, provided all shall be used exclusively for erecting and endowing the said academy upon land donated for that purpose. Self-perpetuating. May make regulations to govern teachers and scholars. February 12, 1819. S.A., I, 2.

*Natchez Academy:*

Fourteen trustees incorporated. May receive and hold real and personal property to any amount; make regulations for "the good government of the institution;" erect and repair a house or houses for the school; employ professors, tutors, and other officers; fix their salaries; and supersede them at pleasure. Shall examine the proficiency of students, make rules for promoting morality and virtue among them, and shall admit all denominations to equal advantages of a liberal education. Self-perpetuating. Exempt from taxation. May raise \$20,000 by lottery. February 12, 1819. S.A., I, 2.

*Elizabeth Female Academy:*

Five trustees incorporated. May own real and personal property to \$100,000. Vacancies in the board may be filled by the Methodist Mississippi Annual Conference. Trustees may make regulations for government of the academy and for promoting piety and virtue among the students, but no religious list or opinion shall be required of pupils for admission. February 17, 1819. S.A., I, 2.

Amendment, February 1, 1820: Authorized the trustees to raise \$10,000 by lottery. S.A., I, 3.



*Wilkinson Female Academy:*

Six trustees and their associates incorporated. May receive gifts, grants, bequests of books, charts, maps, chattels, lands, tenements, and money for the benefit of said institution. May own real property to \$10,000 and personal to \$20,000. February 19, 1819. S.A., I, 2.

*Columbian Academy:*

Shall be established in Marion County. Eight trustees incorporated, with power to increase their number to twelve. May receive donations, recover by law debts due the academy, and elect teacher or teachers. Exempt from tax. May raise by lottery \$2,000. February 10, 1820. S.A., I, 3.

*Franklin Academy:*

Whereas the town site of Columbus is included in the sixteenth section of fractional T. 18, R. 18, W., from basis meridian of Madison County, Alabama: 73-75.

Eight commissioners appointed to lay out not more than one acre of section in town lots, to be leased by agents appointed by the county courts for ninety-nine years at an annual rental. Commissioners incorporated as trustees of Franklin Academy. Shall select site, employ teachers, and make regulations. May increase their number to twelve and fill all vacancies. May raise \$5,000 by lottery. Shall apply proceeds from lease of lots to educational purposes within the township. February 10, 1821. Amendment, February 3, 1827: Power of county courts to lease lots transferred to trustees. Authorized to lease additional lots, when the interest of the institution requires. 136-38.

Amendment, February 10, 1830: Grants authority to lease additional lots. 31-32.

Amendment, December 13, 1830: Repeals amendment of February 3, 1827. Trustees may lease tracts of ten acres for period of ninety-nine years, rent payable annually in advance. 9-10.

Amendment, December 19, 1831: Board of trustees to consist of five members, elected annually by the qualified electors of the township. 120-22.

Amendment, March 1, 1833: To re-enact amendment of December 19, 1831, the legality of which was doubted, because it was passed without the consent of the corporation. This act is passed with the consent of the self-perpetuating board. S.A., I, 18.

## Reference

An act to authorize and require the trustees to lease lots of less than one-fourth an acre. January 28, 1846. 412-13.

*Sligo Academy:*

Established in Wilkinson County on the tract of land known as Sligo. Eight trustees incorporated. May receive donations. Self-perpetuating. May engage teachers. November 20, 1821. 7-8.

*Centre Academy and Meeting House:*

Eight trustees made a body corporate. May increase their number to nine. Shall examine qualifications of teachers as to capacity and morals, and employ such as they think qualified. Shall make rules for academy and provide equal privileges for all denominations. January 20, 1823. 86-88.

*Flower Hill Academy:*

Five trustees incorporated. Self-perpetuating. May engage a principal professor and other teachers. Shall examine the proficiency of students and make regulations for the government of the seminary. February 2, 1825. 77-78.

*Clinton Academy:*

In the county of Claiborne. Nine trustees incorporated. Self-perpetuating. Shall select site within one mile of Port Gibson. May engage teachers, examine their proficiency, and dismiss them at pleasure. Shall examine progress of students at stated intervals. Exempt from tax. Real property may not exceed \$20,000. May raise \$2,000 by lottery. January 23, 1826. 63-65.

Amendment, February 12, 1830: Name changed to Port Gibson Academy. 91.

Amendment, February 5, 1838: New board of trustees named. Property limit raised to \$100,000. License fees for keepers of billiard tables and all proceeds from sales of runaway slaves and all escheats in the county appropriated to the academy. 79-82.

Amendment, December 3, 1858: Female department, recently organized, authorized to confer degrees. 121-22.

*Hamstead Academy:*

Nine trustees incorporated. May receive donations, and collect all debts and dues by law. Self-perpetuating. January 24, 1826. 23-25.

Amendment, February 5, 1827: Name changed to Mississippi Academy. Trustees authorized to raise \$20,000 by lottery. Proprietors of town of Clinton authorized to sell 85-86.

lots by lottery, provided 15 per cent of the proceeds be appropriated to the academy. Rents from Seminary Lands for five years appropriated to the support of the academy. Amendment, December 16, 1830: Name changed to Mississippi College. Power to confer degrees. 101-2.

*Westville Academy:*

Seven trustees incorporated. May select site within two miles of Westville, Simpson County; erect an "academical edifice"; and engage a "preceptor and other professors." Shall examine proficiency of students and make rules for the academy. Equal privileges for all religious denominations. May raise \$5,000 by lottery. Exempt from tax, provided clear yearly value shall not exceed \$1,000. January 27, 1827. 73-76.

*Fayette Academy:*

Five trustees incorporated. Located in Jefferson County. May erect house and appoint professors and necessary teachers. Taxes on billiard tables and proceeds of all sales of estrays in the county appropriated to the support of the academy. Self-perpetuating. February 6, 1827. 58-59.

*Rutledge Academy:*

Five trustees incorporated. Self-perpetuating. Location, within one mile of Gallatin, Copiah County. May engage teachers, examine their proficiency, and dismiss them for misconduct or incompetency. Shall examine progress of pupils. Real property limit, \$10,000. February 12, 1828. 66-67.

*Benton Academy:*

Seven trustees incorporated. Self-perpetuating. May select site at Benton, in Yazoo County, erect buildings, employ teachers and displace them at pleasure. Shall examine the proficiency of students and shall admit all denominations to equal advantages. May raise by lottery \$5,000. Exempt from tax, provided annual income from property does not exceed \$1,000. January 29, 1829. 73-78.

*Pearl River Academy (Rankin County):*

Nine trustees. Self-perpetuating. Located upon sixteenth section. May engage teachers and dismiss them at pleasure. Shall examine proficiency of students. Shall provide equal privileges for all religious denominations. May raise \$5,000 by lottery, and control for the use of the academy all funds from the sixteenth section on which it is located. January 29, 1829. 73-78.



## Reference

*Marion Academy (Wilkinson County):*

Five trustees incorporated. Self-perpetuating. May 51-52.  
 appoint president and teachers and remove them at  
 pleasure. Shall examine the proficiency of students.  
 Shall lease annually the sixteenth section upon which  
 the academy is located. January 30, 1830.

*Natchez Academy:*

Twelve trustees incorporated. Shall govern the affairs of 155-6.  
 the academy, procure competent teachers, fix their salaries,  
 ordain the course of study, establish terms, vacations, and  
 tuition fees. Self-perpetuating. February 10, 1830.

*Hampden Academy:*

Seven trustees. Self-perpetuating. May engage instruct- 42-43.  
 ors and shall examine proficiency of students. Decem-  
 ber 16, 1830. Located at Raymond, Hinds County.  
 Amendment, February 4, 1836: Name changed to Ray- 395.  
 mond Academy.

*Meridian Springs Academy (Hinds County):*

Seven trustees. May make rules for the government of 112-13.  
 the academy. Self-perpetuating. December 5, 1831.

*Vicksburg Institute:*

The officers of the time being incorporated under the name 49-50.  
 "The Vicksburg Institute of Science and Literature."  
 May receive donation; make regulations for the govern-  
 ment of the academy. December 19, 1831.

*Yazoo Academy:*

Seven trustees. May increase their number. Self- S.A., I, 18.  
 perpetuating. Exempt from tax, provided net annual  
 income from property does not exceed \$1,000. Feb-  
 ruary 2, 1833.

*Hickory Springs Academy (Holmes County):*

(Incorporated in same act with Yazoo Academy.) Four S.A., I, 18.  
 trustees. Same powers as Yazoo Academy. February 2,  
 1833.

*Brandon Academy:*

School commissioners of fractional T. 1, R. 4, W. and S.A., I, 18.  
 their successors made a corporate body for the purpose  
 of maintaining Brandon Academy. May receive dona-  
 tions and raise \$5,000 by lottery. February 2, 1833.

*Pearl River Academy (Madison County):*

Five trustees. Self-perpetuating. May increase their S.A., I, 18.  
 number, appoint a president, and make by-laws. Febru-  
 ary 15, 1833.

*Spring Ridge Academy (Madison County):*

Nine trustees. Make regulations for government of the academy and for promoting morality, learning, and virtue among the students. Shall hold regular meetings twice a year. Self-perpetuating. Shall establish an academy on the tract of land near Livingston, which is offered to be donated by Archibald McGehee. December 23, 1833. S.A., I, 19.

*Gallatin Female Academy:*

Incorporates a self-perpetuating board of trustees. May receive donations, employ teachers, and make regulations for the government of the school. February 4, 1833. S.A., I, 19.

*Monticello Academy:*

In Lawrence County. Eight trustees. Self-perpetuating. May engage teachers and remove them at pleasure. Act creating Pearl River Academy in Lawrence County repealed. February 4, 1836. 385-86.

*Canton Female Academy:*

Six trustees. Limit to real and personal estate, \$20,000. Trustees may appoint teachers and make by-laws for governing the academy and promoting learning among the students. Shall hold semiannual meetings. Self-perpetuating. February 5, 1836. 396-97.

Supplementary act, February 4, 1846: All moneys from liquor licenses and licenses to keepers of billiard tables arising in the town of Canton appropriated to the Canton Female Academy. 535-36.

*Madisonville Male and Female academies:*

Nine trustees incorporated as a board for both schools. Shall make rules for the government of the academies and for promoting morality, virtue, and learning among the students. Shall hold semiannual meetings. Self-perpetuating. February 24, 1836. 380-82.

*Washington Irving Academy and Franklin Female Academy:*

Fourteen trustees incorporated. May receive donations and legacies. May make rules for the academy. Located in town of Franklin. Trustees may also operate a female department under the name, Franklin Female Academy. February 25, 1836. 393-95.

*Carrollton Academy:*

In the county of Carroll. Seven trustees. Property limit, \$25,000. Trustees may select site within one mile of Carrollton, erect building, appoint teachers, and make 386-88.

regulations for the government of the academy. Shall meet semiannually. February 26, 1836.

*Richlands Academy:*

In the county of Carroll. Six trustees. Real estate limit, \$10,000; personal, \$5,000. Shall select a site within two miles of Shongalo. Self-perpetuating. Shall employ teachers, make regulations, and meet twice a year. February 26, 1836. 377-78.

*Judson Institute:*

Fifteen trustees. Shall be located at Society Ridge in Hinds County. Real property limit, \$200,000; personal, \$50,000. Baptist Education Society of Mississippi shall fill all vacancies in the board of trustees and control the affairs of the institution. "So soon as said board shall deem it expedient, they shall have and enjoy the privileges of a college and may confer degrees." February 27, 1836. Amendment, February 18, 1840. Names new board and changes location to Middleton, Carroll County. 382-84. 175.

*An Academy:*

Sections 8-10 of an act to amend an act to authorize the trustees of school lands to lease the sixteenth sections for ninety-nine years permits T. 1, R. 3, W. and T. 2, R. 2, W. to unite the interest from their school funds for the support of an academy. The two township boards are incorporated as one board for the government of the academy. February 27, 1836. 15-20.

*Paulding Academy:*

In Jasper County. Seven trustees. May receive donations and legacies, employ teachers, make regulations for the government of the school. Shall locate academy within one mile of Paulding. February 27, 1836. 384-85.

*Gallatin Male Academy:*

Nine trustees incorporated. Property limit, \$60,000. Exempt from tax. Self-perpetuating. Same powers and privileges given to Gallatin Female Academy and the two boards of trustees united into one board as soon as the trustees of the female academy accept this amendment. February 27, 1836. 389-91.

*Lane Academy:*

Eight trustees named and incorporated. Property limit: real, \$10,000; personal, \$5,000. Self-perpetuating. May erect houses, employ teachers, and make regulations for the government of the school. January 20, 1837. S.A., I, 20.

- Reference
- Marion Academy (Lauderdale County):*
- Nine trustees. Real property limit, \$5,000; personal, \$10,000. Site must be within one mile of Marion. Self-perpetuating. Trustees employ teachers and make regulations for government of academy. May 9, 1837. 118-20.
- Lewisville (Louisville) Academy:*
- In Winston County. Ten trustees named and incorporated. Property limit, \$50,000. May make laws for the admission of new members to the corporation and for the government of the academy. May 9, 1837. 127-28.
- Amendment, March 3, 1850: Changes name to Louisville Female Academy and excludes male students. Makes trustees elective by "contributors" to the academy, with one vote for each fifty dollars contributed. 272.
- Amendment, February 26, 1852: Authorizes the sale of the female academy and the lending of the money at interest until the trustees deem it expedient to purchase a lot and erect a building for a male academy. 397-98.
- Hernando Academy:*
- In De Soto County. Nine trustees named and incorporated. May employ agents, preceptors, and teachers. May receive donations. Regular annual meetings. Shall locate the academy within one mile of the county courthouse. The county board of police may appropriate the surplus revenue from the sale of lots in the town of Jefferson for the erection of the building. May 11, 1837. 170-71.
- Amendment, February 9, 1839; Changes name to the Hernando Male and Female Academy and requires that there shall be separate buildings for the male and female departments. 223-24.
- Act concerning the female academy, March 3, 1848: License fees from "tippling houses" in the town of Hernando appropriated to the female academy. 476.
- Act of February 28, 1850, authorizes trustees to transfer the Hernando Female Academy to any society or denomination that offers the greatest inducements for the permanent prosperity of the institution. Such society authorized to name a board of nine trustees. 209-10.
- Amendment, January 23, 1852: New board of trustees appointed and corporate name changed to the Hernando Female Institute. 483-84.
- Amendment, February 19, 1856: Board to meet on its own adjournment; elect officers annually. 424.
- Greensboro Male and Female Academy:*
- Five trustees named and incorporated. May receive donations and legacies, make regulations for government 178-79.



of the academy and for filling vacancies in their own body.  
May 11, 1837.

*Sharon Female Academy:*

Fifteen trustees named and incorporated as trustees for both Sharon College for men and the academy. May make rules for the institutions, employ teachers and dismiss them at pleasure. Self-perpetuating. "So soon as said board shall deem it expedient, they shall have and enjoy the privileges of a college in the male department, and the power of conferring degrees in both departments."  
May 12, 1837. 223-24.

*Pinckney Academy:*

Seven trustees. May make laws for the admission of new members to the corporation and for the government of the academy. Self-perpetuating. Shall hold regular semi-annual meetings. Location: town of Pinckney. May 13, 1837. 304-5.

*Mount Carmel Male and Female Academy:*

Twelve trustees. Real property limit, \$5,000; personal, \$3,000. Self-perpetuating. May employ professors and teachers, and make rules for the government of the academy and for the promotion of learning and morality among the students. May 13, 1837. 310-11.

*Oxford Male and Female academies:*

Seven trustees incorporated for the male academy, and a separate board of seven for the female academy. Both boards shall employ teachers and necessary assistants, pay salaries agreed upon, make regulations for the admission of new members to the corporation and for the government of the academy, and hold regular semiannual meetings. February 2, 1838. 75-77.

*Tuscahoma Academy (Tallahatchie County):*

Nine trustees named and incorporated. Real property limit, \$10,000; personal, \$5,000. May employ professors and teachers and make regulations for the government of the academy. February 2, 1838. 77.

*Colbert Male and Female Academy:*

Stock company incorporated. Authorized capital, \$50,000 in shares of \$50. Property limit, \$60,000. Stockholders elect seven trustees annually, who shall employ teachers, 202-6.

fix tuition rates, and make rules for the academy. Shall distribute net profits annually as dividends. February 15, 1838.

*Pontotoc Female Academy:*

Seven trustees named and incorporated. May make regulations for the management of the interest and concern of the academy. Self-perpetuating. February 15, 1838. 229-31.

*Coffeeville Male and Female Academy (Yalobusha County):*

Six trustees incorporated with all rights contained in the charter of Carrollton Academy and subject to like restrictions. Trustees of school lands in T. 24, R. 6, E. shall pay over to trustees of the academy the proceeds from the lease of the sixteenth section, which shall be applied on the erection of the academy building. January 26, 1839. 195-96.

*Holly Springs Female Academy:*

Board of trustees made self-perpetuating. Make regulations for the government of the institution and employ faculty. January 30, 1839. 202-3.

Amendment, February 7, 1842: Name changed to Holly Springs Female Institute. 219.

*Chulahoma Female Academy:*

Thirteen trustees named as incorporators, with the same powers as are given in this act to the Chulahoma College for males. (These are: to own real and personal estate, make rules for the government of the institution, employ teachers and dismiss them at pleasure, and confer degrees.) January 30, 1839. 206-7.

*Farmington Academy:*

Seven trustees. Property limit, \$150,000. Trustees may build and equip house near Farmington, Tishomingo County, employ teachers, and make regulations for the academy. January 30, 1839. 208-9.

*Wyatt Male and Female academies:*

Seven trustees incorporated. One board for both academies. May make rules for the government of the schools and for promoting morality, virtue, and learning among the students. January 30, 1839. 213-14.

*Wahalak Female Academy:*

Eleven trustees named and incorporated for the academy. May make by-laws for the government and management of the institution. Self-perpetuating. February 9, 1839. 220-22.

## Reference

*Oak Hill Academy:*

Six trustees incorporated with same powers as trustees of Wahalak by the same act. February 9, 1839. 220-22.

*Chulahoma College and Commercial Institute:*

Eight trustees. May employ and dismiss teachers and make regulations for the government of the institution and for promoting learning, morality, and virtue among the students. Shall hold semiannual meetings. Self-perpetuating. February 9, 1839. 227-29.

*De Kalb Male and Female Academy:*

Stockholders incorporated. Capital stock, \$10,000, in shares of \$10. Property limit, \$10,000. Stockholders elect five trustees at annual meeting, casting one vote for each share of stock. Trustees shall provide house or houses for the academy, employ teachers, and fix salaries. Surplus shall be applied to completing or erecting and equipping necessary buildings before any dividend shall be declared. February 9, 1839. 239-42.

*Woodville Classical School:*

Nineteen trustees incorporated. Property limit \$50,000. Presidents, professors, and students exempt from militia duty, except in case of actual invasion. Self-perpetuating. Exempt from tax. February 14, 1839. 251-53.

*Macon Male and Female Academy:*

Six trustees. May provide buildings, employ teachers, make regulations for the government of the academy and for the promotion of learning, morality, and virtue among the students. Shall hold regular semiannual meetings. Self-perpetuating. February 14, 1839. 256-59.

*Mount Pleasant Male and Female Academy:*

Five trustees incorporated in same act with Macon Academy with same powers and restrictions. February 14, 1839. 256-59.

*Shugualak Male and Female Academy:*

Five trustees incorporated and given same powers and restrictions as trustees of Macon Academy. February 14, 1839. 256-59.

*Plymouth Male and Female Academy:*

Five trustees named and incorporated. Real property limit, \$10,000; personal, \$5,000. Self-perpetuating. The trustees of T. 19, R. 17, E. may at their discretion apply the rents from the sixteenth section to the use of the academy until a majority of the resident heads of families direct otherwise. February 15, 1839. 357-58.

	Reference
<i>Emery Academy:</i>	
Twelve trustees. May select location, erect house, employ teachers, make laws for government of the academy and for promoting learning, morality, and virtue among the students. Self-perpetuating. February 15, 1839.	378-80.
<i>Grenada Male and Female Academies:</i>	
One board of trustees for both academies. Self-perpetuating. May make regulations for the government of the academy and for the promotion of learning, virtue, and morality. February 15, 1839.	380-81.
Amendment, February 6, 1841: Named separate boards for each academy and authorized the use of the township common school funds for their support.	258-59.
Original act and the amendment repealed on petition of the trustees of the academies, March 11, 1856. Funds transferred to township trustees for use of common schools.	174-76.
<i>Almucha Academy and Free Church:</i>	
Stockholders incorporated. Capital stock, \$5,000, in shares of \$5.00. Stockholders elect five trustees annually. Trustees employ teachers, fix rates, and make rules for the admission of students. Any surplus that may be accrued shall be applied to the completion of buildings and equipment before any dividend may be declared. This act may be repealed or amended without the consent of the corporation. January 27, 1840.	134-37.
<i>Thickwoods Academy:</i>	
Six trustees. May appoint professors and dismiss them at pleasure and make regulations for government of the academy. Shall hold three regular meetings annually. Shall serve one year and until their successors are elected. January 27, 1840.	148-49.
<i>Greensboro Male and Female Academies:</i>	
Five trustees. Real property limit, \$5,000; personal, \$2,000. Self-perpetuating. Shall make regulations for the government of the academy, and with the consent of the principal, shall fix rates for tuition, which shall be posted on the door of the academy and of the county court-house. Shall receive the Sixteenth Section Fund of T. 19, R. 9, E. to apply on the building. January 29, 1840.	157-59.
<i>Gallatin Academy:</i>	
Nine trustees. Property limit; real, \$10,000; personal, \$5,000. Self-perpetuating. May employ teachers and make regulations for government of the academy. February 3, 1840.	66-68.



*Woodville Female Academy:*

Nine trustees named and incorporated. Property limit, 161.  
\$50,000. Exempt from tax. February 3, 1840.

*Constantine Male and Female Academy:*

Francis L. Constantine, four others, and their associates 162-63.  
incorporated for the purposes of education and advancement of the good morals of males and females. Property limit, \$10,000. May make regulations, prescribe the course of study, attend examinations, and regulate the government and instruction of pupils. The corporation shall elect a board of five trustees annually. February 6, 1840.

*Rienzi Academy:*

Five trustees. Property limit, \$50,000. Shall be located 171-73.  
within one mile of present site of post office of Rienzi. Trustees shall employ suitable teachers and pay salaries agreed upon. Shall make by-laws for the admission of new members to the corporation. February 15, 1840.

*Vicksburg Female Academy:*

Eighteen incorporators. May make laws for the govern- 131-32.  
ment of the academy and for continuing the succession of the corporation. Property limit, \$50,000. Rents from sixteenth section of the township appropriated to the payment of tuition in the academy of such female orphan children as the trustees shall select. February 18, 1840.

*Columbia Academy:*

Nine trustees. No limit to property, provided all proceeds 223-24.  
go to the academy. Shall be entitled to all appropriations that by the laws of the state such institutions are entitled to from fines, forfeitures, or any other source. Trustees shall adopt a constitution, in which they shall determine the mode of selecting their successors. February 22, 1840.

*Wahalak Male Academy:*

Stockholders incorporated. Capital stock, \$10,000. Shall 263-65.  
elect five trustees annually, each stockholder having one vote for each share of stock. Property limit, \$10,000. January 14, 1841.

*Commerce Male and Female Academy:*

Six trustees incorporated and given all powers granted 281.  
to Tuscahoma Academy, February 2, 1838. January 27, 1841.

*Williamsburg Male and Female Academy:*

Seven trustees. Property limit, \$20,000. Shall make by-laws for the admission of new members. Shall hold regular meetings four times a year. All fines, penalties, forfeiture, and amercements in Covington County appropriated to the academy. February 5, 1841. 248-49.

*Oakland Male and Female Academy:*

Eleven trustees incorporated with all rights, privileges, powers and immunities granted to Carrollton Academy, February 26, 1836, and subject to like restrictions. February 5, 1841. 254.

Charter repealed and academy re-incorporated, February 22, 1842. Stock company. Authorized capital, \$10,000 in shares of \$10. Stockholders elect a board of eleven trustees annually. 162-64.

*Marion Male and Female Academy:*

Stock company. Capital stock, \$10,000 in shares of \$10. Stockholders make by-laws and elect a board of seven trustees annually. Shall receive moneys that may have or may accrue in Lauderdale County under an act for the benefit of education, approved February 14, 1839. February 23, 1842. 166-68.

*Aberdeen Male Academy:*

Seven trustees incorporated, who shall serve temporarily until their successors shall be elected by the stockholders. Stockholders shall elect a board of trustees annually. July 25, 1843. 89-91.

*Raleigh Academy:*

Six trustees. Property limit, \$10,000. Self-perpetuating. All fines, forfeitures, and amercements arising in Smith County appropriated to the academy. July 25, 1843. 94-95.

*Friendship Male Academy (Panola County):*

Six trustees incorporated. Property limit, \$10,000. May make regulations for admission of new members to the corporation. Charter may be amended or repealed at the will of the legislature. January 13, 1844. 253-54.

*Houston Male and Female Academy:*

Seven trustees. May make regulations for the admission of new members to the corporation, for the government of the academy, and for the promotion of morality, virtue, and learning among the students. The legislature may alter, amend, or repeal this act at will. January 24, 1844. 261-62.

*Decatur Male and Female Academy:*

Stock company. Capital \$10,000 in shares of \$10. 254-56.  
 Property limit, \$10,000. Stockholders shall elect a board of nine members annually. The academy shall receive all moneys that have accrued or may accrue under the act for the benefit of education, approved February 14, 1839. This charter may be amended or repealed at the will of the legislature. January 26, 1844.

*Lexington Male and Female Academy:*

Five incorporators. Property limit, \$20,000. Members 266-67.  
 of the corporation may make rules for the admission of new members. The corporation shall elect annually a board of five trustees. This act may be altered, amended, or repealed at the will of the legislature. January 30, 1844.

*Black Hawk Male and Female academies:*

Five trustees named for the male academy. Demetrius 430-31.  
 Bland, H. S. Farmer, and their associates made trustees of the female academy. The two boards shall constitute a joint corporation, with the right to own property to \$10,000. They shall elect teachers, prescribe studies, attend examinations, and regulate the instruction of the students. The trustees named in the act shall serve until January 1, 1847. Citizens of the town shall elect boards of trustees annually. February 5, 1846.

*Aberdeen Female Academy:*

Nine trustees incorporated. Self-perpetuating. May 389-91.  
 select site, erect building, employ teachers, pay salaries, dismiss teachers at pleasure. Shall make regulations for the government of the academy and for the promotion of learning, morality, and virtue among the students. Exempt from state, county, and municipal tax. February 11, 1846.  
 New charter, February 5, 1848, incorporates the academy 483-84.  
 as a stock company. Subscribers shall elect a board of nine trustees, arranging terms so that one-third go out each year. School lot and improvements exempt from tax. Charter of February 11, 1846, repealed.

*Pontotoc Male Academy:*

Seven trustees. May own property and make regulations 370-71.  
 for the government of the academy. Self-perpetuating. February 11, 1846.

*Zion Seminary:*

Six trustees. May own real and personal estate, provided annual income therefrom does not exceed \$10,000. Donations shall be put at interest on good security and the interest alone be used for the support of the academy. This act may be repealed at the will of the legislature. February 11, 1846. 367-68.

*St. Thomas' Hall:*

The rector, senior and junior warden, and the two oldest vestrymen of Christ's Church at Holly Springs made ex officio members of a corporate body with Henry Anderson and B. W. Williams. The ex officio members may fill vacancies caused by the death or resignation of Anderson, Williams, or their successors. May own property to \$50,000, provided it be employed for educational purposes. February 20, 1846. 330-31.

*Jackson Male Academy and the Jackson Female Academy:*

State's right and interest in College Square, College Green, and certain other lots in the city of Jackson granted to a board of trustees, which is incorporated and required to erect two substantial brick buildings and designate them as the Jackson Male Academy and the Jackson Female Academy. Said houses shall become free schools, whenever the citizens and corporate authorities desire and shall provide means of sustenance. The governor of the state shall fill all vacancies in the board. March 5, 1846. 359-60.

*Macon Female Institute:*

Fifteen trustees incorporated for "Macon Female Institute of the Alabama Annual Conference of the Methodist Episcopal Church, South, in Noxubee County." May establish such chairs as they deem advisable and elect professors, who shall conduct and govern the institution. May confer degrees, and may receive funds in trust for a permanent endowment. Property limit, \$100,000. January 17, 1848. 467-69.

*Canton Male Academy:*

Six trustees. Property limit, \$10,000. Location, within one mile of Canton. Trustees may appoint and remove teachers at pleasure, and shall make regulations for the government of the academy. Self-perpetuating, provided no one shall be eligible for membership of the board who lives more than four miles from Canton and is not a freeholder. February 4, 1848. 469-72.



*Raymond Female Institute:*

The female department of Raymond Academy incorporated under the above name. Seven trustees. Self-perpetuating. Shall hold the house and lot in Raymond known as the female academy, and may acquire other property. When the curriculum of the institute has been so enlarged as "to embrace a complete course in female education," the institution may issue diplomas. February 28, 1846. 472-73.

*Columbus Female Institute:*

Twelve incorporators. Stock company with authorized capital of \$50,000. Stockholders elect trustees, who shall elect a principal. Principal shall elect his own assistants, but there must be one teacher in the faculty for each twenty-five pupils. Trustees make regulations for government of the institute. Exempt from tax, and the square in which the institute is situated shall be released from the annual lease so long as it is used for educational purposes.<sup>1</sup> March 4, 1848. 477-81.

*Enterprise Academy:*

Seven trustees. Perpetual succession. May make regulations for the government of the academy. March 4, 1848. 482.

*Pleasant Hill Male and Female Academy:*

Five trustees. Perpetual succession. May make regulations for the government of the academy. Property limit, \$15,000. March 4, 1848. 482-83.

*Yazoo Classical Hall:*

Fifteen visitors incorporated. Property limit, \$100,000. May make laws for the election of officers, admission of new members, and the government of the institution. May establish a collegiate institution and issue certificates or confer degrees. February 1, 1850. 461-62.

*Pearl River Female Academy:*

Eight trustees with the same rights given to Pearl River Academy by act of February 15, 1833. Location, in T. 7, R. 2, E. in Madison County. February 18, 1850. 314.

*Polkville Male and Female Academy:*

Trustees named and incorporated. Property limit, \$10,000. Sixteenth section funds of the township and the 395-96.

<sup>1</sup> The school was located upon the sixteenth section of the township.

revenue from liquor licenses arising within the town of Polkville appropriated to the academy. Self-perpetuating. Board of trustees shall elect a principal, who shall choose his own assistants. There shall be one teacher to each twenty-five pupils. February 19, 1850.

*Salem High School:*

Incorporates the Salem High School Association. Property limit, \$30,000. May make rules for the admission of new members. Subscribers to the association not liable beyond the time specified when making the subscription. March 4, 1850. 452-53.

*Almuck Academy:*

Incorporates the school "on the land of D. N. Cormack, in the neighborhood of Old Town (Almucha)." Five trustees. Self-perpetuating. May employ teachers and remove them at pleasure. Shall examine students, make rules, and see that all denominations receive like treatment. Property limit, \$5,000. Sale of distilled or spirituous liquors within a half mile of the academy prohibited. March 6, 1850. 403-4.

*Kemper College:*

Governor, president of Senate, speaker of House, and judges of High Court of Errors and Appeals ex officio members of board of trustees. C. P. Smith and Samuel Batchelder, proprietors, may appoint additional trustees and fill vacancies. May confer degrees. March 7, 1850. 443-45.

*Euclid Male and Female Academy:*

Trustees named and made a corporate body. May make by-laws and regulations. Property limit, \$30,000. Self-perpetuating board. November 30, 1850. Called Session, 34, 35.

*Choctaw Collegiate Institute:*

Incorporates trustees. May employ teachers and remove them at pleasure. May confer degrees. Choctaw Baptist Association shall fill all vacancies in board. Township school trustees may transfer 1.05 acres of school land to the Institute. January 27, 1852. 221; 431.

*Newton Institute:*

At Newton Place in Wilkinson County. For the instruction of young ladies in literature, science, and arts. May confer degrees. Trustees may elect new members of their body. Exempt from tax. February 2, 1852. 458-59.

*Enon High School:*

Incorporates the Enon High School Association. Property limit, \$50,000. May admit new members. Subscribers liable only for the time specified when subscription is made. Sale of vinous and spirituous liquors prohibited within one mile of the school. February 5, 1852. 411-13.

*Yalobusha Baptist Institute:*

Temporary board named to serve until meeting of the Yalobusha Baptist Association. Property limit, \$50,000, in addition to an endowment limited at \$100,000, which the trustees are authorized to raise by the sale of scholarships, by donation, or otherwise. Association shall elect a board of trustees annually. Exempt from tax. February 5, 1852. 407-8.

*Cold Water Baptist Female Seminary:*

Located at Chulahoma, Marshall County. Trustees self-perpetuating, but in filling vacancies must have approval of the Cold Water Baptist Association. Property limit, \$50,000. May confer degrees and diplomas. February 20, 1852. 404.

*Collegiate High School of the I.O.O.F.:*

Established by Covenant Lodge No. 20, and McKindree Lodge No. 32, of the Independent Order of Odd Fellows, in the city of Columbus. Trustees incorporated. Property limit, \$50,000. February 25, 1852. 375-76.

*Maple Spring Academy:*

In Tippah County. Trustees named and incorporated. Property limit, \$5,000. February 28, 1852. 287-88.

*Masonic and Odd Fellows High School:*

Trustees named for one year. Successors shall be elected annually by Snowsville Lodge, No. 119. May grant diplomas and confer degrees. February 28, 1852. 290-92.

*Bascom Female Seminary:*

Names and incorporates nine trustees. Self-perpetuating. Exempt from taxation. March 3, 1852. 292-93.

*Pleasant Ridge Male and Female Academy:*

Located in Tippah County. March 12, 1852. 315-16.

*Middleton Female Seminary:*

Stock company incorporated. Limited to thirty years. Property limit, \$100,000. Stockholders elect annually a board of seven trustees, four of whom must be stockholders. May grant diplomas and degrees. Stockholders manage and control the financial affairs of the seminary. March 15, 1852. 326-27.

*Greenwood Female Institute:*

In the county of Jasper. Property limit, \$15,000. March 15, 1852. 331-32.

*Southern Scientific Institute:*

In Claiborne County. E. N. Elliot, proprietor, incorporator. Power to appoint trustees, provided the governor and the judges of the High Court of Errors and Appeals shall be ex officio members. E. N. Elliot and other professors shall constitute the faculty and shall have power to confer degrees, and make rules for the discipline and management of the institute. March 16, 1852. 343-44.  
Amendment, February 28, 1854: Becomes Planters' College.

*Simpson Male and Female Seminary:*

Incorporates trustees and confers upon them the power to govern the institution. Property limit, \$5,000. March 16, 1852. 345.

*Canton Female Institute:*

Names and incorporates trustees. Self-perpetuating. Property limit, \$60,000. May issue certificates of scholarship or confer degrees. October 19, 1852. 90-91.

*Crawfordsville Male and Female institutes:*

In Lowndes County. One board incorporated for both schools. Property limit, \$25,000. May confer diplomas. Stockholders meet annually. October 21, 1852. 153-54.

*Presbyterian Female Collegiate Institute:*

Nine trustees, one-third of whom go out each year. Their successors shall be appointed by the presbytery of Chickasaw. Property limit, \$40,000. October 14, 1852. 139-40.

*Monroe Female Institute:*

Trustees named and incorporated. Self-perpetuating. Exempt from tax. Confer degrees. January 26, 1854. 485-86.

*Port Gibson Collegiate Academy:*

In Claiborne County. Self-perpetuating board of trustees. Property limit, \$50,000. May grant diplomas. February 1, 1854. 418-19.

*Good Hope Academy:*

In Leake County. Trustees to be elected annually by the heads of families of T. 9, R. 6 and T. 9, R. 7. Sale of vinous and spirituous liquors prohibited within one mile of the academy. February 2, 1852. 394.



	Reference
<i>Friendship Academy (Panola County):</i>	
Names and incorporates trustees. Self-perpetuating.	310.
May appoint president of the academy and make laws for the government of the institution. February 4, 1854.	
<i>Hill City Collegiate Institute:</i>	
The institute established by R. T. W. Daniel in Vicksburg is incorporated, and said R. T. W. Daniel and associates and their heirs and assigns are declared a body politic and corporate. Property limit, \$20,000. February 18, 1854.	207.
<i>Red Banks Female Seminary:</i>	
Trustees self-perpetuating. May grant diplomas on commencement day, "which shall be on the last Friday in June of each year, as in other seminaries, institutions, or colleges in this state." February 25, 1854.	253-54.
<i>Central Female Institute:</i>	
Trustees named and incorporated. May make rules for the election of new members of board. Property limit, \$20,000. February 27, 1854.	238-39.
<i>Byhalia Female Institute:</i>	
Trustees incorporated and made self-perpetuating. Property limit, \$20,000. February 27, 1854.	251-52.
<i>Octograde Seminary:</i>	
Trustees named and incorporated. May make rules for continuing their succession. Property limit, \$5,000. March 1, 1854.	337-38.
<i>Westminster Academy:</i>	
In county of Tippah. Property limit, \$10,000. Seven trustees, elected annually by the patrons. Shall receive pro rata share of common school fund of Tippah County. March 1, 1854.	429-30.
<i>Union Seminary:</i>	
Incorporates stockholders. Property limit, \$20,000. Privilege of divine worship accorded to each religious denomination that subscribes for \$300 worth of stock. Stockholders shall elect seven directors, who shall have power of trustees of the seminary. Board of police may subscribe for stock out of any school fund under its lawful control. March 2, 1854.	428-29.
<i>Coffeetown Female Institute:</i>	
Incorporates trustees. Property limit, real, \$3,000; personal, \$1,000. Exempt from taxation. Self-perpetuating. March 2, 1854.	206-7.

*Okolona Female Institute:*

Incorporates trustees. Self-perpetuating. Property limit, 388-89.  
\$30,000. January 23, 1856.

*Eastport Female Institute:*

Located in Tishomingo County. May confer degrees and 210-11.  
diplomas. February 20, 1856.

*Calhoun Institute:*

Incorporated and given power to confer degrees and 169.  
diplomas. February 23, 1856.

*Byhalia Male Academy:*

In town of Byhalia, Marshall County. Property limit, 219-20.  
\$5,000. May confer degrees. Shall appoint semian-  
nually a board of visitors. Exempt from tax. Sale of  
vinous and spirituous liquors prohibited within five  
miles. February 23, 1856.

*Okolona Male Academy:*

Names and incorporates a board of trustees, who are made 402.  
self-perpetuating. February 29, 1856.

*Amite Female Seminary:*

Property limit, \$50,000 May confer degrees. Board of 317-18.  
visitors shall be appointed annually by the Mississippi  
Baptist Association. March 4, 1856.

*Canaan Male and Female Academy:*

In Tippah County. Names and incorporates trustees. 403.  
Self-perpetuating. Property limit, \$10,000. March 8,  
1856.

*Oak Bowery Academy:*

Incorporates a board of trustees. Property limit, \$15,000. 171.  
March 11, 1856.

*Fayette Female Academy:*

Names temporary board of trustees. Property limit, 88-90.  
\$250,000. Board of twelve trustees to be elected by the  
Mississippi Presbytery, so that terms of one-third shall  
expire each year. Presbytery shall have supervisory and  
visitorial powers. Proceeds of estray sales and fines for  
violation of license laws in Jefferson County appropriated  
to the academy. November 19, 1857.

*Spring Ridge Female Seminary:*

(Incorporated by the governor.)<sup>1</sup> Eight trustees. Self- Rec. of  
perpetuating. May confer degrees. Property limit, Inc., 32.  
\$50,000. June 7, 1858.

<sup>1</sup> See p. 64 and footnote.

*Central Academy:*

(Incorporated by the governor.) In Madison County. Rec. of Stock company. May have separate departments for Inc., 50. sexes. Capital stock, \$20,000 in shares of \$100. January 1, 1859.

*Hillsboro Male and Female Academy:*

(Incorporated by the governor.) In the county of Scott. Rec. of Fifteen trustees. Make regulations for the academy. Inc., 61. Self-perpetuating. May elect teachers and displace them at pleasure. February 26, 1859.

*Iuka Female Institute:*

(Incorporated by governor.) Five trustees named and Rec. of incorporated. Make regulations for the academy. May Inc., 67. confer degrees. May 11, 1859.

*Westville Seminary:*

(Incorporated by the governor.) Nineteen incorporators. Rec. of Stock company. Limited to five years. May make Inc., 79. regulations for the academy, fix rates of tuition, and enforce collection of the same. August 9, 1859.

*Rose Hill Male and Female Academy:*

Five trustees named and given general corporate powers. Rec. of May make regulations for the government of the academy. Inc., 91. December 14, 1859.

*Vernal Male and Female Academy:*

In Greene County. Property limit, \$20,000. Sale of 197-98. liquor prohibited within ten miles of the academy or ten miles of Salem High School. February 3, 1860.

*Wilson Hall:*

In Marshall County. Trustees named and given per- 264-65. petual succession. Property limit, \$50,000. May confer degrees. February 10, 1860.

*Aberdeen Masonic Male High School:*

Property limit, fifty acres of land with the improvements 403-4. thereon and personal estate to \$20,000. Trustees shall be elected by Aberdeen Lodge No. 32 and Euphemia Royal Arch Chapter No. 13. February 10, 1860.

*Amite County Female Academy:*

Located in town of Liberty. May own real and personal 409-10. property. May confer degrees. February 10, 1860.

*Willard Male and Female academies:*

Located at Flewellen's Cross Roads in De Soto County. 417-18. Self-perpetuating board of trustees. Exempt from

taxation. Sale of vinous and spirituous liquors prohibited within two and one-half miles. President and professors ex officio members of the board, except in matters relating to them personally. February 10, 1860.

*Masonic Female Seminary:*

In Marshall County. Trustees given "usual privileges granted to such institutions." May confer degrees. February 10, 1860. 438.

*Brandon State Military Institute:*

Governor of the state and his successors made a member of the board of trustees. Self-perpetuating board, which may increase its numbers to twenty. Governor authorized to lend firearms to trustees, provided they shall give bond for the return of same in good condition. February 11, 1860. 355-56.

*Bethany Male and Female Institute:*

(Incorporated by the governor.) Nine trustees, elders of the Bethany Church. Louisiana Presbytery shall prescribe terms of admittance and appoint successors to the trustees. April 7, 1860. Rec. of Inc., 117.

*Hazlehurst Male and Female Institute:*

(Incorporated by the governor.) All donors to the institute made members of the corporation. Corporation shall elect a board of seven trustees who shall manage institution, make rules, and employ teachers. June 6, 1860. Rec. of Inc., 122.

*Richland Male and Female Academy:*

(Incorporated by the governor.) Ten temporary trustees named. Stock company. Capital, \$50,000. Stockholders elect a board of trustees annually. Trustees control and supervise the academy. August 22, 1860. Rec. of Inc., 132-33.

## II. COLLEGES AND UNIVERSITIES

### ABSTRACTS

*Jefferson College:*

Named in honor of "Thomas Jefferson, President of the United States and President of the American Philosophical Society." Thirty-four trustees named and made self-perpetuating body. Trustees authorized to select site, contract for buildings, employ president and faculty, examine proficiency of students, confer degrees of bachelor of arts and master of arts. Students of all denominations Digest (1816), 310.



must be admitted to equal advantages and must receive "a like fair and generous treatment." Exempt from taxation. Students and faculty exempt from military duty, except in case of invasion. Trustees authorized to raise \$10,000 by lottery and receive donations. May 3, 1802.

Amendment reducing number of trustees to twenty-five, making governor and lieutenant-governor ex officio members, with governor as president, and providing that all vacancies should be filled by the general assembly. January 30, 1826. 51-52.

Amendment reducing number of trustees to ten, of whom the governor should be one and also be president of the board. Other members appointed by the governor with the advice and consent of the senate. July 26, 1843. 87-89.

Amendment authorizing the trustees to establish a branch of the collegiate and scientific departments at Natchez, to which they may attach departments of law and medicine. March 1, 1854. 361-62.

Amendment making president and faculty ex officio members of the board of trustees and authorizing said board to confer degrees of bachelor of arts, bachelor of sciences, and honorary degrees conferable by similar literary institutions. February 18, 1854. 389.

#### *Oakland College:*

Dr. Rush Nutt, David Hunt, and ten others incorporated as "The Board of Trustees of the Institution of Learning under the care of the Mississippi Presbytery." Given power to change corporate name, perpetual succession. Actual annual income limited to \$10,000 from real and personal property. May confer degrees and diplomas. December 3, 1830. 47-49.

#### *Mississippi College:*

(Originally incorporated as Hampstead Academy in 1826. See abstract of original charter under head of "Academies and Other Secondary Schools.") Amendment changed name to Mississippi College and authorized trustees to confer degrees and make by-laws for the government of the institution. December 16, 1830. 101-2.

Amendment gave to legislature the power of filling vacancies in board of trustees. December 25, 1833. S.A., I, 19.

#### *Sharon College:*

B. W. M. Menter and fourteen others incorporated as trustees of both Sharon College (for males) and Sharon Female Academy. Self-perpetuating. May employ 223-24.

teachers and supersede them at pleasure, and may confer degrees. May 12, 1857.

*Chulahoma College:*

Thomas Box and ten others incorporated as trustees of "the male academy" with authority to convert it into a college as soon as they "shall deem it expedient." May hold property without limit, employ teachers and dismiss them at pleasure, and may confer degrees. January 30, 1839. 206-7.

*University at Holly Springs:*

F. W. Huling and fifteen others incorporated as trustees. No limit on real and personal property, exempt from tax. Shall adopt a constitution, which shall provide regulations for filling vacancies in board of trustees. May confer literary, scientific, and honorary degrees. February 9, 1839. 245-46.

*Grenada College:*

J. C. Baker and twelve others appointed trustees, with power to select site in or near Grenada, contract for buildings, employ president and other professors and supersede them at pleasure, examine proficiency of students, confer degrees of bachelor of arts and master of arts, fill vacancies in their own body, and receive donations, bequests, and legacies. Exempt from tax. February 15, 1839. 373-75.

*Mississippi Female College:*

Located at Columbus. Five trustees named, who with the stockholders of the college are made a corporate body for the period of twenty years. Real and personal property limited to \$200,000. Trustees named in charter serve one year; successors to be elected by stockholders biennially. Act may be amended or repealed at any time without the consent of the college. February 5, 1840. 73-75.

*North Mississippi College:*

Alexander Shaw and eight others named as trustees. No limit on property, provided proceeds are employed for educational purposes. May confer literary and honorary degrees. Trustees shall adopt a constitution, which may be altered only by the consent of three-fourths of the body. February 6, 1840. 164-66.

*Centenary College:*

John Lane and twenty-four others named as trustees. 67-69.  
 Vacancies shall be filled by rule to be prescribed at the first meeting of the board of trustees. May establish a number of schools, including law and medicine. President of the college shall be ex officio member of the board of trustees. Property limit, \$500,000. Legislature may repeal charter without the consent of the college. July 18, 1843.

*University of Mississippi:*

J. Alexander Ventress, John A. Quitman, Wm. L. Sharkey, 227-28.  
 A. M. Clayton, Wm. Y. Gholson, Jacob Thompson, Pryor Lea, Edward C. Wilkinson, James M. Howry, John J. McCaughn, Rev. Francis Hawkes, J. N. Waddell, and A. H. Pegues named as trustees, and given all general powers "conferred upon similar corporations in the state." Given full control over Seminary Fund, and authorized to contract for "the erection of the University building." Board of trustees made self-perpetuating. Charter may be repealed at the will of the Legislature. February 24, 1844.

Amendment. Part of charter giving trustees control of Seminary Fund repealed and the management of the fund given to the State Commissioner. January 26, 1846. 248-49.

*Jackson College:*

Wilson Hemingway, ten others, with the faculty of the college as ex officio members, and the governor of the state ex officio president of the board incorporated as trustees. May confer degrees. Shall not be under control of any religious sect. Charter may be repealed at will of legislature. January 24, 1846. 419-20.

*Sharon Female College:*

James P. Thomas and twelve others named trustees. 449-52.  
 Property limit, \$30,000. May employ teachers, make regulations, and fill vacancies in their own body, subject to approval of the Mississippi Conference of the Methodist Episcopal Church, South. February 23, 1846.

*Eureka Masonic College:*

Located at Richland, Holmes County. Lemuel Doty and nine others made trustees. May hold real and personal property without limit for educational purposes only. May confer literary and honorary degrees. Vacancies filled by Eureka Lodge No. 61, and Lexington Lodge No. 24. All trustees must have attained the third degree 484-76.

of Masonry. Whenever the Grand Lodge of Mississippi shall see fit it may, with the consent of the two local lodges, take the college under its patronage, and shall have the power to determine thenceforth the method of selecting trustees. February 7, 1848.

*Aberdeen Female College:*

(Incorporated originally as Aberdeen Female Academy. 279. See abstracts of charters of academies in Part I of this appendix.) Act changes name of academy to Aberdeen Female College and authorizes the college to grant diplomas and confer degrees. February 27, 1850.

*Eudocia Female College:*

James A. Godfrey and certain others created a corporate body as trustees of Eudocia Female College, under the care of a company of stockholders. May appoint professors, pay salaries, make regulations, fill vacancies in their own body, confer degrees and give diplomas, appoint a board of visitors to inspect the institution. May hold property, provided annual income therefrom shall not exceed \$5,000. Exempt from taxes. March 3, 1850. 361-63.

*Wilmarth College:*

Converts the female academy in the city of Natchez under the management of Rev. Samuel W. Speer, D.D., into Wilmarth College, names trustees, authorizes them to hold property to the amount of \$100,000, to confer degrees, to elect president and faculty and their own successors. January 27, 1852. 437-38.

*Mississippi Female College:*

Trustees named and made self-perpetuating. Property limit, \$50,000. May issue certificates of scholarship or confer degrees in arts and sciences. February 11, 1852. 411-13.

*Kosciusko Masonic Female College:*

Names board of nine trustees. May own property without limit, provided income is employed for educational purposes. May confer literary and honorary degrees. President of the college and trustees must be third degree Masons, and trustees must also be members of Trinity Lodge No. 88. March 3, 1852. 236-38.

*Madison College:*

Located at Sharon, Madison County. Names trustees and gives power to hold property not to exceed \$50,000, to appoint the faculty, and to confer degrees. Members of 272-75.



the faculty are made ex officio members of the board of trustees. (A preamble to this charter indicates that the college was solely for males.) March 4, 1852.

*Mary Washington Female College:*

Names thirty-nine persons as "Trustees and representatives of the Chickasaw, Choctaw, Aberdeen, and Columbus Baptist associations." Property limit, \$200,000. Successors to be elected by the four associations named, each association electing ten trustees for terms of four years. Faculty may grant diplomas and confer degrees. Trustees shall elect faculty, and shall have power to admit into said college such students as they may think proper. Exempt from tax. Any other Baptist Association may be united with the chartered four in support of the college on equal terms. March 8, 1852. 149-53

*College of St. Andrews:*

Located in Jackson, Hinds County. Names board of trustees of seven members. Self-perpetuating. No limit on property rights. May confer degrees. October 16, 1852. 26-27.

*Central Mississippi Female College:*

Located in town of Lexington, Holmes County. Property limit, \$100,000. Trustees may elect a board of visitors, president, and faculty. In addition to property to the amount of \$100,000, the college may hold as much as \$200,000 for endowment purposes, which may be raised by sale of scholarships, donations, or otherwise. Temporary trustees are named to serve until the next meeting of the Yazoo Baptist Association, which shall elect at its annual meetings. Exempt from taxation. February 25, 1854. 289-91.

*Planters' College:*

(Originally chartered as Southern Scientific Institute, which may be found under Part I of this appendix.) Amendment changes name to Planters' College, makes the president, faculty, governor of the state, the chancellor, and vice chancellor ex officio members of the board of trustees, and authorizes the board to confer degrees. February 28, 1854. 257-58.

*Newton College:*

Located at Newtonia, Wilkinson County. May hold property without limit, and confer degrees. Exempt from taxation. March 1, 1854. 457-58.

*Union Female College:*

Under the control of the Hernando Synod of Cumberland Presbyterian Church, and located at Oxford, Mississippi. Given "usual corporate powers, particularly those granted to Oxford Female Academy" (February 2, 1838). Number of trustees may be increased to include a number from each of the West Tennessee and the Mississippi synods equal to the number named in the charter. March 2, 1854. 371.

*State Female College of Mississippi:*

Trustees named and made self-perpetuating. Given full control over funds hereafter appropriated by the state for the endowment of the college, and authorized to let contract for buildings. February 20, 1856. 383-84.

*Mississippi Masonic Female College:*

Names trustees and locates the college in Claiborne County. Property limit, \$50,000. Board of trustees is made self-perpetuating and authorized to grant diplomas and confer degrees. Retailing of spirituous and vinous liquors prohibited within two miles of the institution. March 1, 1856. 355-56.

*Southern Female College:*

Amendment to charter of Mississippi Masonic Female College, changing name to Southern Female College. December 2, 1858. 141-42.

*Semple Broaddus College:*

Incorporated as "Semple Broaddus College or University of DeSoto County." Located at Center Hill, DeSoto County. Trustees named and located as follows: 13 from Marshall County, 19 from DeSoto, 5 from Panola, 2 from Lafayette, 2 from Noxubee, 1 from Tippah, 1 from Tishomingo, 1 from Pontotoc, 1 from Monroe, 1 from Coahoma, 1 from Lowndes, 1 from Hinds, 12 from the state of Tennessee, 2 from Arkansas. Property rights without limitation. Board is made self-perpetuating, and given power to confer degrees. November 11, 1858. Rec. of Inc., 36-37.

*Whitworth College:*

E. L. Bowen and six others named as trustees. Board shall superintend, visit, and manage the college, make rules and regulations, grant diplomas, confer degrees. Property limit, \$50,000. Self-perpetuating. February 1, 1860. Rec. of Inc., 98.

*Corona Female College:*

## Reference

Located at Corinth. Incorporates Rev. L. B. Gaston and his associates as president and board of instructors. May hold property without limitation, make regulations, grant diplomas, confer degrees. A board of visitors, thirteen in number, is named, and the president authorized to fill vacancies in this board. February 9, 1860.

Rec. of Inc.,  
110.

*Rose Gates College:*

Located at Okolona, Chickasaw County, under control of Protestant Episcopal Church. Wm. M. Green and seven others trustees. Property limit, \$30,000. May confer degrees and diplomas. June 14, 1860.

Rec. of Inc.,  
124.

## APPENDIX B

### COMPLETE INDEX TO EDUCATIONAL LEGISLATION IN MISSISSIPPI FROM 1802 TO 1860 BY TITLES OF ACTS

The acts are given by legislative sessions in chronological order. References in the margin are to pages in the statutes unless otherwise specified. In references to manuscript laws in state and territorial archives the series are indicated by a capital letter or a Roman numeral and the number in the series by an Arabic numeral.

For instance: T.A., D, 2 means Territorial Archives, Series D, Number 2.

TITLES OF ACTS	Reference
1802	
An act to establish a college in the Mississippi Territory.	T.A., D, 1.
1803—First Session	
An act to amend an act to establish a college in the Mississippi Territory.	T.A., D, 2.
1803—Second Session	
An act to incorporate the Mississippi Society for the Acquirement and Dissemination of Useful Knowledge.	T.A., D, 2.
An act empowering the board of trustees of Jefferson College to elect new trustees.	T.A., D, 2.
1807	
An act to incorporate the Franklin Society.	Digest (1816), 52.
An act for the relief and settlement of the poor. (Provides for the education of orphans and certain other children by apprenticeship.)	Hutchinson, <i>Code</i> , 297.
1809	
An act to establish an academy in the county of Claiborne.	T.A., D, 6.
1809—First Session	
An act to incorporate the Natchez Mechanical Society	T.A., D, 6.
1809—Second Session	
An act to establish an academy in the county of Claiborne. (Madison Academy.)	T.A., D, 6.
An act to amend an act for the relief and settlement of the poor.	T.A., D, 6.



## 1811

An act establishing an academy in Washington County by name of Washington Academy. T.A., D, 8.

## 1812

An act to amend the act establishing an academy in Washington County. Digest (1816).

An act establishing Greene Academy in the county of Madison. Digest (1816), 56-57.

## 1814—First Session

An act appointing additional trustees for Greene Academy. T.A., D, 9.

## 1814—Second Session

An act to empower the board of trustees of Madison Academy to change its site. T.A., D, 9.

An act to amend an act establishing an academy in Washington County by the name of Washington Academy. T.A., D, 9.

An act to establish an academy in Wilkinson County. (Jackson Academy.) T.A., D, 9.

## 1815

An act to establish an academy in Wilkinson County, and for other purposes. (Wilkinson Academy.) T.A., D, 10.

An act to establish an academy at the town of Pinckneyville. (Pinckneyville Academy.) T.A., D, 10.

An act to establish an academy in Amite County. (Amite Academy.) T.A., D, 10.

## 1816

An act to authorize the trustees of the academy of Amite County to raise a sum of money by lottery. T.A., D, 11.

An act to amend an act entitled, "an act to establish a college in the Mississippi Territory." T.A., D, 11.

A resolution relating to the library for the use of the legislature, and for other purposes. T.A., D, 11.

## 1818

An act to appoint trustees and to incorporate a library society in Greene County, to be known and styled "the Trustees of the Library Society of Greene County." S.A., I, 1.

An act to incorporate the Mississippi Literary and Library Company of Gibson Port. S.A., I, 1.

A resolution to provide for the education of the child of Josiah Simpson, deceased. S.A., I, 1.

An act to establish a college in the town of Shieldsborough. S.A., I, 1.

	Reference
An act to appoint trustees and incorporate a debating and literary society in the county of Wilkinson, to be styled, "The Trustees of the Franklin Debating and Library Society."	S.A., I, 1.
An act to provide for the lands given by the United States to the state of Mississippi for the benefit of schools.	S.A., I, 1.

## 1819

An act to incorporate a society to be known by the name of the Franklin Debating and Library Society in Wilkinson County.	S.A., I, 2.
An act to incorporate Elizabeth Female Academy in the county of Adams.	S.A., I, 2.
An act to incorporate the trustees of the Beach Hill Academy and Methodist Meeting House in Jefferson County.	S.A., I, 2.
An act to incorporate the Pearl River Academy in the county of Lawrence.	S.A., I, 2.
An act to establish an academy in the city of Natchez.	S.A., I, 2.
An act to incorporate the Female Charitable Society (Natchez).	S.A., I, 2.
An act to incorporate the trustees of the Wilkinson Female Academy of Wilkinson County.	S.A., I, 2.

## 1820

An act to incorporate the Liberty Debating Literary Society in Amite County.	S.A., I, 3.
An act to incorporate the Amite Union Society for the acquisition and dissemination of useful knowledge.	S.A., I, 3.
An act to authorize the trustees of the Elizabeth Female Academy to raise a sum of money by lottery.	S.A., I, 3.
An act to incorporate the Columbian Academy under the name and style of the president and trustees of the Columbian Academy.	S.A., I, 3.
An act to amend an act to provide for the lands given by the United States to the state of Mississippi for the benefit of schools.	S.A., I, 3.

## 1821—January-February

An act to incorporate the Pike Library Society.	92-93.
An act to authorize a lease of certain town lots therein named, and for other purposes. (Incorporates Franklin Academy.)	73-75.

## 1821—November

An act to incorporate the trustees of Sligo Academy.	7-8.
An act to establish a Literary Fund, and for the encouragement of education in this state.	27-34.

Reference

An act concerning the location of the thirty-six sections of land granted by Congress to this state for the use of a seminary of learning within the same. 128-29.

## 1823—Session 1822-23

An act amendatory to an act entitled, "an act to establish a Literary Fund," etc. 103-4.

An act to incorporate Harmony Society of Jefferson County. 75-77.

An act to incorporate the trustees of Centre Academy and Meeting House in Claiborne County. 86-88.

## 1824

An act to appropriate moneys arising from the rents of school lands, and for other purposes. 9-12.

## 1825

An act to incorporate the Philomathean Society. 27-28.

An act to provide for leasing the Seminary Lands. 13-14.

An act to incorporate Flower Hill Academy. 77-78.

An act to change the name and style of the Female Charitable Society, and for other purposes. 87-88.

## 1826

An act to revive the charter of the Pinckneyville Academy in Wilkinson County. 10-11.

An act to establish Clinton Academy in the county of Claiborne. 63-65.

An act to establish an academy in Hinds County. Hamstead Academy; later, Mississippi College.) 23-25.

A resolution to authorize the governor to subscribe for bank stock. (Investment of Literary Fund.) 129.

An act to amend an act to establish a college in the Mississippi Territory. 51-52.

An act to amend the act to provide for leasing the Seminary Lands, passed January 29, 1825. 69-70.

An act to amend an act to appropriate the moneys arising from the rents of school lands, and for other purposes, passed January 9, 1824. 96-97.

## 1827

An act to amend an act to authorize a lease of certain town lots therein named, and for other purposes, passed February 10, 1821. 136-38.

An act to amend an act entitled, "an act to establish an academy in the county of Hinds." 85-86.

	Reference
An act for the relief of the Orphan Asylum of Natchez.	55-56.
An act to appoint a board of trustees for Fayette Academy in Jefferson County.	58-59.
An act supplemental to an act entitled "an act to provide for leasing the Seminary Lands."	18-20.
An act to establish a seminary of learning in the county of Simpson. (Westville Academy.)	73-76.

## 1828

An act to incorporate the members of the Franklin Library Society (at Meadville).	11-12.
An act to establish Rutledge Academy in the county of Copiah.	66-67.
A resolution to authorize the governor to subscribe for bank stock. (Investment of Literary Fund.)	130.
An act to amend an act entitled, "an act to appropriate the moneys arising from the rents of school lands, and for other purposes."	41-42.

## 1829

An act to amend an act entitled, "an act to appropriate the moneys arising from the rents of school lands, and for other purposes," passed January 9, 1824.	29-30.
An act to establish seminaries of learning at Benton in the county of Yazoo, and Brandon in the county of Rankin. (Benton Academy and Pearl River Academy.)	73-78.
An act to appoint a board of trustees for Clinton Academy in Claiborne County.	46-47.
An act respecting certain lotteries. (Elizabeth Female Academy, Trinity Church, and the Masonic Grand Lodge.)	34-35.
An act for the benefit of Mississippi Academy.	54-55.
A resolution. (Authorizes quartermaster of state to lend arms to Jefferson College.)	108.
A resolution in relation to the introduction of a general system of education within this state.	111-12.
An act to amend an act entitled, "an act to appropriate the moneys arising from the rents of school lands, and for other purposes.	13.

## 1830—January-February

A memorial to Congress. (Requests a substitute section for sixteenth section of a township in Lawrence County.)	202-4.
An act to incorporate the trustees of Marion Academy.	51-52.
An act to amend an act appropriating the moneys arising from rents of school lands, and for other purposes.	144-45.



## Reference

- An act to further amend an act to authorize a lease of certain lots therein mentioned, and for other purposes, passed February 10, 1821. 31-32.
- An act to incorporate the trustees of Natchez Academy. 155-56.
- An act changing the name of Clinton Academy at Port Gibson. (Changed to Port Gibson Academy.) 91.
- An act to establish a town on the sixteenth section in T. 10, R. 3, W. in the county of Yazoo. 31-32.
- An act to revive the Literary Fund Law, passed November 26, 1821. 38.

## 1830—November

- An act to incorporate the board of trustees of the institution of learning under the care of the Mississippi Presbytery. 47-49.
- An act to authorize the trustees of school lands in the county of Pike to lease the same for a term of years. 21.
- An act to repeal an act entitled, "an act to amend an act to authorize the lease of certain lots therein named," passed February 10, 1821, and for other purposes. 9-10.
- An act to incorporate the Brandon Library Society in the county of Rankin. 21.
- An act to revive an act passed February 12, 1819, entitled, "an act incorporating a seminary of learning in the county of Lawrence called Pearl River Academy." 18.
- An act to authorize the board of trustees of the school lands of T. 1, R. 4, W., in the county of Wilkinson, to lease or rent the school lands in fractional T. 1, R. 5, W., in said county, and for other purposes. 115-16.
- An act to repeal an act entitled, "an act to revive the Literary Fund." 19.
- An act to lease the sixteenth section in T. 5, R. 3 in Rankin County. 36.
- An act to provide for the leasing of school lands in certain counties therein named. (Madison, Jefferson, Claiborne, Monroe, Lowndes.) 97-98.
- A memorial to the Honorable, the Senate and House of Representatives of the United States in Congress assembled. (Prays for substitute township in lieu of that originally granted Jefferson College.) 145-46.
- An act supplemental to an act to amend an act entitled, "an act to establish an academy in the county of Hinds," approved February 5, 1827. (Academy changed to Mississippi College.) 101-2.

	Reference
An act to provide for leasing the Seminary Lands, and for other purposes.	113-14.
An act to incorporate the trustees of Hampden Academy in the county of Hinds (at Raymond).	42-43.

## 1831

An act to incorporate the trustees of the Meridian Springs Academy, in Hinds County.	112-13.
An act to authorize the trustees of the school of Section 16, T. 5, R. 1, W., Choctaw district, to locate the schoolhouse of said section.	44-45.
An act to incorporate the members of the Vicksburg Institute.	49-50.
An act to incorporate the Meridian Springs Library Society, in Hinds County.	41-42.
An act to alter and amend the charter of the corporation of president and trustees of Franklin Academy in the county of Lowndes.	120-22.
An act to amend an act entitled, "an act to establish a town on the sixteenth section in T. 10, R. 3, W., in the county of Yazoo, approved February 12, 1830.	33-34.

## 1833—January-February

An act to incorporate Yazoo Academy, and for other purposes. (Incorporates also Hickory Springs Academy.)	S.A., I, 18.
An act further to incorporate the school commissioners for fractional T. 1, R. 4, W. (Brandon Academy.)	S.A., I, 18.
An act to incorporate the Pearl River Academy in the county of Madison.	S.A., I, 18.
An act to authorize the trustees of the school lands within each township in this state to lease the sixteenth section for ninety-nine years, and for other purposes.	S.A., I, 18.
An act to alter and amend the charter of incorporation of the president and trustees of Franklin County, in the county of Lowndes, and to repeal an act entitled, "an act to amend the charter," etc., approved December 19, 1831.	S.A., I, 18.
An act for the distribution of the Literary Fund among the several counties of the state.	S.A., I, 18.

## 1833—November-December

A resolution in relation to the refuse lands in the various counties in the state of Mississippi. (Seeks to have them donated to the counties for school purposes.)	S.A., I, 19.
An act to incorporate the Spring Ridge Academy in the county of Madison.	S.A., I, 19.

	Reference
An act concerning Jefferson College.	S.A., I, 19.
An act to amend part of the acts in relation to the Mississippi College.	S.A., I, 19.
A memorial to the Senate and House of Representatives of the United States. (Seeks substitutes for sterile sixteenth sections.)	S.A., I, 19.
An act to incorporate the Gallatin Female Academy in the county of Copiah.	S.A., I, 19.
An act to carry into effect the provisions of an act entitled, "an act for the distribution of the Literary Fund among the several counties of the state, and for other purposes."	S.A., I, 19.

## 1836

An act to incorporate the Monticello Academy in the county of Lawrence.	385-86.
An act to amend an act to incorporate the trustees of Hampden Academy in the county of Hinds.	395.
An act to incorporate the Canton Female Academy in the county of Madison.	396-97.
An act in relation to Pearl River Academy. (In Rankin. Name changed to Brandon Academy.)	392-93.
An act to incorporate the Madisonville Male and Female academies in the county of Madison.	380-82.
An act to incorporate the trustees of Washington Irving Academy, in the town of Franklin, and for other purposes.	393-95.
An act to incorporate Carrollton Academy in the county of Carroll.	386-88.
An act to amend an act entitled, "an act to establish a seminary of learning in the county of Simpson," passed January 27, 1827.	377.
An act to incorporate the Richlands Academy in the county of Carroll.	377-79.
An act to incorporate Judson Institute. (Hinds County.)	382-84.
An act to amend an act entitled, "an act to authorize the trustees of school lands in each township in this state to lease the sixteenth sections within the same for ninety-nine years, and for other purposes."	15-20.
An act to incorporate Paulding Academy in Jasper County.	384-85.
An act to incorporate the trustees of Gallatin Male Academy. (Copiah County.)	389-91.

## 1837—January

An act to incorporate the trustees of Lane Academy in the city of Vicksburg.	S.A., I, 20.
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## 1837—April—May

- An act to authorize the trustees of T. 13, R. 19 in Noxubee County, to lease a portion of the sixteenth section in less quantities than 80 acres. 1.
- An act to incorporate the trustees of Marion Academy. (Lauderdale County.) 118-20.
- An act to incorporate the trustees of Lewisville Academy, and for other purposes. (Winston County.) 127-28.
- An act to incorporate the Hernando Academy in the county of De Soto. 170-71.
- An act to incorporate the Greensboro academies in the town of Choctaw. 178-79.
- An act to incorporate Sharon College and Sharon Female Academy, in Madison County. 223-24.
- An act to incorporate the male and female Pinckney Academy. 304-5.
- An act to incorporate the trustees of the Mount Carmel Male and Female Academy. (Covington County.) 310-11.
- An act authorizing the trustees of section 16, T. 5, R. 2, E., to lease a portion of the same. 384.

## 1838

- An act to incorporate the Oxford Male and Female academies in the town of Oxford. 75-77.
- An act to amend the charter of Port Gibson Academy. 79-82.
- An act to authorize the trustees of T. 14, S., R. 18, W., in Monroe County, to make title to the respective lessees of the sixteenth section of said township. 117.
- An act to revive an act incorporating the trustees of Meridian Springs Academy in Hinds County. 118.
- An act to authorize the board of trustees and their successors in office of the sixteenth section, T. 2, R. 9, E., in the county of Smith, to make titles to the lessees of school lands. 124-25.
- An act to provide for a state library. 165-66.
- An act to incorporate the subscribers to the Colbert Male and Female Academy in the county of Lowndes. 202-6.
- An act to incorporate the Pontotoc Female Academy. 229-31.
- An act for the benefit of the Orphan Asylum in the city of Natchez. 245.
- An act to authorize the board of police of Rankin County to confirm the lease of the sixteenth section of T. 6, R. 4, E. 303-4.



	Reference
1839	
An act to incorporate the trustees of the Coffeerville Male and Female Academy in the county of Yalobusha.	195-96.
An act for the benefit of Cayuga Male and Female Academy in the county of Hinds.	201.
An act to incorporate the female academy of Holly Springs in Marshall County.	202-3.
An act to incorporate the Chulahoma College and Chulahoma Female Academy in Marshall County.	206-7.
An act to incorporate the trustees of Farmington Academy in the county of Tishomingo, and for other purposes.	208-9.
An act to incorporate the male and female academies of Wyatt in the county of Lafayette.	213-14.
An act concerning school lands.	34.
An act to incorporate the Wahalak Female Academy in the county of Kemper, and the Oak Hill Academy in the county of Copiah.	220-22.
An act to amend an act to incorporate the Hernando Academy.	223-24.
An act to incorporate the Chulahoma College and Commercial Institute in the town of Chulahoma.	227-28.
An act to incorporate the Amite Library and Debating Society.	233-35.
An act to incorporate the subscribers to the De Kalb Male and Female Academy in the county of Kemper.	239-42.
An act to incorporate the University at Holly Springs.	245-46.
An act to incorporate the trustees of the Woodville Classical School in Wilkinson County.	251-53.
An act to incorporate the Macon Male and Female Academy, and the Mount Pleasant and Shugualak academies in the county of Noxubee.	256-59.
An act for the benefit of education. (In interest of academies.)	38-40.
An act to establish a common school in the county of Bolivar.	260-62.
An act to authorize the boards of trustees for certain townships therein mentioned to establish joint schools.	289.
An act confirming the lease of the sixteenth section in T. 7, R. 7, E. in the county of Lawrence.	294.
An act to confirm the lease of the sixteenth section of T. 8, R. 1, E. (Madison County.)	302.
An act to incorporate the board of trustees of the Male and Female Academy in the town of Plymouth.	357-58.

	Reference
An act to revive the incorporation of the Amite Academy.	360.
An act to incorporate Grenada College.	373-75.
An act to incorporate the board of trustees of Emery Academy in the county of Holmes.	378-80.
An act to incorporate the Grenada Male and Female academies.	380-81.
An act to legalize the leasing of school lands in the county of Neshoba.	417.
A memorial to Congress. (Relative to Chickasaw Lands.)	99-100.
1840	
An act to amend an act entitled, "an act for the benefit of education."	119.
An act to incorporate the Almucha Academy and Free Church.	134-37.
An act to incorporate the Thickwoods Academy in the county of Amite.	148-49.
An act to incorporate the Greensboro academies, and for other purposes.	157-59.
An act to incorporate the board of trustees of the Gallatin Academy in the county of Copiah.	66-68.
An act to incorporate the Woodville Female Academy in the town of Woodville, Wilkinson County.	161.
An act to incorporate the Amite Library and Debating Society.	273-74.
An act to incorporate the Franklin Library and Debating Society in the county of Franklin.	276-77.
An act to amend an act entitled, "an act to incorporate the Trustees of the Woodville Classical School."	52-53.
An act to incorporate the stockholders and trustees of the Mississippi Female College in the city of Columbus.	73-75.
An act to incorporate the Constantine Male and Female Academy in the county of Noxubee.	162-63.
An act to incorporate the trustees of the North Mississippi College.	164-66.
An act to legalize and confirm the sale of a lot of ground therein named. (Carries out a provision of charter of Macon Academy.)	170-71.
An act to incorporate the trustees of Rienzi Academy in the county of Tishomingo.	171-73.
An act to incorporate the Tchula Library and Debating Society.	295-96.
An act to incorporate the Vicksburg Female Academy.	131-32.
An act to amend an act to incorporate the Richland Academy, in Carroll County.	144.

## Reference

An act to amend an act entitled, "an act in relation to Pearl River Academy, passed February 24, 1846.	173-75.
An act to amend an act to incorporate the Judson Institute, approved February 27, 1836.	175.
An act to confirm the lease of the sixteenth sections in the county of Covington.	124.
An act to provide for the location of the state university.	92-95.
An act to legalize the leasing of school lands in the county of Choctaw.	187-88.
An act to provide for the collection of the proceeds of the lease of the school lands of the sixteenth section, in T. 22, R. 3, E. in Tallahatchie County.	196-97.
An act to authorize the trustees of school section 16, of T. 13, R. 2, E., in Holmes County, to rescind the sale thereof, or to purchase the same and offer at public sale, for the benefit of the township.	197.
An act to incorporate the Columbia Academy in the county of Marion.	223-25.
An act to establish the Yazoo Library Association.	279-80.

## 1841

An act to incorporate the Wahalak Male Academy in the county of Kemper.	263-65.
An act to amend the law as to leases of sixteenth sections.	127.
An act to authorize the trustees of school section 16, of T. 9, R. 6, E., in Copiah County, to rescind the sale thereof.	206-7.
An act to further regulate the election of trustees of school lands in Franklin County.	216-17.
An act to incorporate the Holly Springs Library and Debating Society in the county of Marshall.	287-88.
An act to incorporate the Commerce Male and Female Academy.	281.
A resolution in relation to Jefferson College.	159.
An act to authorize the trustees of T. 10, R. 3, E., to rescind the sale of the sixteenth section of said township.	176.
An act to authorize the trustees of section 16, T. 25, R. 3, E., in the county of Yalobusha, to make deeds thereto.	193.
An act to prescribe the place of holding the public school in T. 19, R. 17, E. in Lowndes County.	202-3.
An act for the relief of Samuel L. Moore, and for other purposes. (Sixteenth section.)	218.
An act to authorize the county police of the several counties in the state to expose to public sale all depreciated bank paper in their county treasuries. (Section 2 authorizes trustees of school lands to do likewise.)	122-23.

	Reference
An act in relation to the university of the state of Mississippi.	143-45.
An act to incorporate the trustees of the Williamsburg Male and Female Academy.	248-49.
An act to incorporate the trustees of the Oakland Male and Female Academy.	254.
An act authorizing the administrator of the estate of H. W. Runnels, deceased, to pay for a certain portion of the Seminary Lands, purchased from the state under provisions of the act to provide for selling said lands.	239-41.
An act to amend an act to incorporate the male and female academies of Grenada, approved February 15, 1859.	258-59.
An act to legalize the lease of certain school lands in county of Coahoma.	280.
An act for the relief of McLin Evans, and for other purposes. (Sixteenth section.)	244-45.

## 1842

An act to amend an act entitled, "an act incorporating the Female Academy of Holly Springs, in Marshall County."	219.
An act authorizing the board of police of Jasper County to rent out the sixteenth sections in said county, and for other purposes.	164-65.
An act to legalize the sale of certain school lands in the county of Coahoma.	151.
An act to authorize the trustees of schools and school lands for T. 2, R. 2, W., in Wilkinson County, to rescind the sale thereof, or to purchase the same for the benefit of said township.	177.
An act to authorize the trustees of the sixteenth section of T. 10, R. 1, W., in Yazoo County, to purchase a portion of said section for the benefit of the township.	176.
An act to repeal an act to incorporate the trustees of the Oakland Male and Female Academy, and to provide for the reincorporation of said institution.	162-64.
An act concerning school section number 4, T. 12, R. 2, E., in Claiborne County.	174.
An act to authorize the trustees of certain sixteenth sections to rescind the contracts for leasing them.	178.
An act for the relief of John Patterson of Bolivar County.	203-4.
An act to incorporate the Marion Male and Female Academy in the county of Lauderdale.	166-68.
An act to authorize the trustees of schools and school lands in all of the sixteenth sections reserved to this state	130-33.



## Reference

- by act of Congress, to rescind sales, leases, and other contracts made in relation thereto, and for other purposes. An act to incorporate the trustees of the sixteenth section of T. 10, R. 2, E. in Madison and Yazoo counties. 222-23.
- An act for the benefit of schools in T. 8, R. 3, E., in Madison County. 224.
- A memorial to the Senate and House of Representatives of the United States on the subject of the sixteenth sections in the Chickasaw cession. 265-66.
- A resolution in relation to the land on which the state university has been located. 258.

## 1843

- An act to incorporate the Centenary College in the county of Rankin. 67-69.
- An act to compensate the commissioners appointed to locate the lands allowed the state of Mississippi by Congress, in lieu of the sixteenth sections in the Chickasaw cession. 81-82.
- An act to amend an act in relation to school lands in the counties of Smith and Jones, passed in the year 1839. 106.
- An act to incorporate the Aberdeen Male Academy. 89-91.
- An act to incorporate the trustees of Raleigh Academy in the county of Smith. 94-95.
- An act to revive an act to incorporate the trustees of the Natchez Academy. 108-9.
- An act for the collection and investment of the Seminary Fund. 57-64.
- An act to amend the several acts of this state in relation to Jefferson College. 87-89.
- An act to incorporate the Pontotoc Athenaeum. 93-94.

## 1844

- An act to incorporate the Humane and Benevolent Society of Vicksburg with an Orphan Asylum annexed. 248-49.
- An act to incorporate the trustees of the Friendship Male Academy in the county of Panola. 253-54.
- An act to authorize the trustees of schools in T. 1, R. 4, W., in the county of Wilkinson, to rescind the sale, lease, or contract, made for, or concerning, the school lands in fractional T. 1, R. 5, W. 363.
- An act to incorporate the Male and Female Academy of Houston in the county of Chickasaw. 261-62.
- An act to incorporate the Decatur Male and Female Academy in the county of Newton. 254-56.

	Reference
An act to incorporate the trustees of the Lexington Male and Female Academy in the county of Holmes.	266-67.
An act to secure to the Chickasaw counties the benefit of the lands given to the state in lieu of the sixteenth sections in the Chickasaw cession.	238-40.
An act to regulate the rate of interest on the school fund, and for other purposes.	124-25.
An act supplementary to an act for the collection and investment of the Seminary Fund, approved July 18, 1843.	129-30.
An act to amend the charter of Jefferson College.	225-26.
An act to incorporate the University of Mississippi.	227-28.

## 1846

An act for the establishment of a seminary of learning in the city of Jackson.	419-20.
An act supplementary to an act for the incorporation of the University of Mississippi, approved February 24, 1844.	248-49.
An act to authorize and require the trustees of schools and school lands in the city of Columbus, in T. 18, S., of R. 18, W., to execute deeds to lots of less dimensions than one-fourth of one acre, and for other purposes.	412-13.
An act to restore a board of trustees of the sixteenth section in T. 5, R. 3, E.	350-52.
An act to legalize the sale of the sixteenth section of T. 7, R. 9, E., in Scott County.	437-38.
An act supplementary to an act entitled, "an act to incorporate the Canton Female Academy of Madison County," approved February 5, 1836.	535-36.
An act to incorporate the Black Hawk Male and Female academies in the county of Carroll.	430-31.
An act to incorporate the president and trustees of the Aberdeen Female Academy.	389-91.
An act to incorporate the Pontotoc Male Academy.	370-71.
An act to incorporate the trustees of Zion Seminary in the county of Covington.	367-68.
An act to repeal the second section of an act entitled, "an act to regulate the rate of interest on the school fund, and for other purposes," approved February 13, 1844.	223.
An act to incorporate the Lexington Literary and Debating Society.	490-91.
An act to incorporate St. Thomas' Hall in the town of Holly Springs.	330-31.
An act to incorporate the Sharon Female College in the town of Sharon, Madison County.	449-52.

	Reference
An act to authorize John C. Pryor, . . . . to sell the property known as the Female Academy, in the town of Hernando, De Soto County.	454-55.
An act to establish a system of common schools, and for other purposes.	98-104.
An act supplemental to an act entitled, "an act to establish a system of common schools, and for other purposes."	105.
An act supplemental to an act passed at the present session of the legislature entitled, "an act to establish a system of common schools and for other purposes."	105-6.
An act supplemental to an act passed at the present session of the legislature entitled, "an act to establish a system of common schools," etc.	106.
An act to provide for the payment of the debts due for the state library, and for an interchange of books between this state and the several states of the Union.	183.
An act to authorize the commissioner of the Seminary Fund to compound with the debtors thereof.	241-42.
An act to provide for the erection of permanent school-houses in the city of Jackson.	359-61.
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An act to incorporate the Macon Female Institute in Noxubee County.	467-69.
An act to appropriate a portion of the Yazoo City Hospital Fund to educational purposes.	228.
An act to incorporate Canton Male Academy in the county of Madison.	469-72.
An act to incorporate the president and trustees of Aberdeen Female Academy.	483-84.
An act to incorporate the trustees of Eureka Masonic College at Richland, Holmes County.	474-76.
An act to legalize the lease of sixteenth sections in Pike County.	237-38.
An act extending certain privileges to Masons, Odd Fellows, Sons of Temperance, Literary, Benevolent, and other societies and companies. (Permits incorporation by county probate clerks.)	103-4.
An act to provide for the leasing of Chickasaw School Lands.	62-67.
An act to legalize the sale and purchase of section 16, T. 2, R. 14, E. in the county of Clarke.	256-57.
A memorial to the Senate and House of Representatives of the United States in Congress assembled. (Sixteenth sections.)	543-45.

	Reference
An act for the relief of John Patterson.	494-95.
An act to annex, in the county of Adams, T. 8, R. 2, W., to T. 8, R. 3, W. and for other purposes.	235-36.
An act for the relief of James S. Bailey.	495.
An act for the further endowment of the University of Mississippi.	104-5.
An act relative to the trustees of the University.	169.
An act to prohibit the sale of vinous and spirituous liquors in less quantities than five gallons within five miles of the University of Mississippi.	151-52.
An act to incorporate the Raymond Female Institute.	472-73.
An act for the benefit of Aberdeen Female Academy.	477.
An act to amend an act to incorporate the trustees of the Louisville Academy, approved May 9, 1837.	487.
An act to legalize the sale of the sixteenth section in T. 6, R. 16, E. in the county of Lauderdale.	230-31.
An act in relation to the school fund of T. 12, R. 2, E. in Yazoo County.	231.
An act supplementary to an act entitled, "an act to establish a system of public schools, and for other purposes," approved March 4, 1846. (For Warren County.)	196-98.
An act requiring the treasurers of Pontotoc and Lafayette counties to lend the school fund of said counties.	239-40.
An act to reduce the percentage of the treasurer of the county of Harrison, so far as relates to the common school fund.	240-41.
An act to provide for the application of the common school fund that has or may hereafter accrue under an act approved March 4, 1846, in the county of Marion.	199-201.
An act for the better regulation of the state library.	148-51.
An act to aid in the establishment of an institution for the instruction of the blind.	153-55.
An act concerning the Hernando Female Academy.	476.
An act to amend an act entitled, "an act to establish a system of common schools, and for other purposes," passed March 4, 1846.	143-44.
An act to amend an act entitled, "an act to establish a system of common schools, and for other purposes," approved March 4, 1846.	145-47.
An act to provide for and establish common schools in the counties of Hinds, Holmes, Tunica, Jefferson, Wilkinson, Lawrence, and Amite.	185-86.
An act to repeal an act to establish a system of common schools, and for other purposes, approved March 4, 1846,	201-4.



## Reference

- so far as the same refers to the counties of Noxubee, Lowndes, Yalobusha, Winston, Covington, Jefferson, Neshoba, Scott, Newton, Madison, Bolivar, Carroll, Sunflower, Tallahatchie, Claiborne, and Kemper.
- An act to incorporate the Columbus Female Institute in the county of Lowndes. 477-81.
- An act to incorporate Enterprise Academy in the county of Clarke. 482.
- An act to incorporate the Pleasant Hill Male and Female Academy in the county of Jasper. 482-83.

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- An act to incorporate the board of visitors of Yazoo Classical Hall in Yazoo County. 461-62.
- An act for the relief of the heirs of Daniel Fore and John Collier. (Sixteenth section.) 491.
- An act to amend an act establishing a system of common schools, approved March 4, 1846. 83.
- An act to amend the school law of March 4, 1846, so far as the same relates to the county of Choctaw. 131.
- An act to amend an act to provide for common schools, approved March 4, 1848, and for other purposes, so far as relates to the county of Amite. 169-71.
- An act to authorize the school trustees of T. 4, R. 3, W., in Hinds County, to execute a lease to Henry D. Gibbs, for ninety-nine years, for certain portions of the sixteenth section therein. 193-94.
- An act for the benefit of Yazoo Female Academy. 493.
- An act to establish a system of common schools in Yazoo County. 145-46.
- An act to amend the several laws of this state in relation to common schools, so far as relates to Chickasaw County. 153-56.
- An act to provide for the common school within the town of Woodville. 131.
- An act to provide for the distribution of the common school fund of the county of Rankin. 132.
- An act to repeal an act to establish a system of common schools, approved March 4, 1846, so far as relates to the county of Attala, and for other purposes. 167-69.
- An act to incorporate Pearl River Female Academy, in T. 7, R. 2, E. in Madison County. 314.
- An act for the relief of the trustees of schools and school lands in T. 10, R. 1, east of the basis meridian west of Pearl River, and for other purposes. 469-74.

	Reference
An act to provide for the payment of teachers employed under an act to establish common schools, and for other purposes, approved March 4, 1846.	82-83.
An act to amend an act to incorporate Black Hawk Male and Female academies in the county of Carroll.	311.
An act to incorporate the Polkville Male and Female Academy in the county of Smith.	395-96.
An act to repeal an act entitled, "an act for the benefit of the Aberdeen Academy," approved February 28, 1848, and for other purposes.	490-91.
An act to legalize the sales of sixteenth sections within the county of Jones, and for other purposes.	226-28.
An act to establish common schools in Holmes County.	160-67.
An act to prescribe the mode of applying school funds in Tippah County, and for other purposes.	230-31.
An act to provide for the education of poor children in the county of Issaquena (Lawrence).	249-52.
An act to legalize the lease of certain school lands therein mentioned.	268.
An act to change the name of Aberdeen Female Academy, and for other purposes.	279.
An act to authorize the trustees of the Hernando Female Academy to transfer the institution.	209-10.
An act to reduce into one the several acts heretofore passed in relation to sixteenth sections and common schools, so far as relates to the county of Hinds.	132-41.
An act to incorporate Eudocia Female College, in the town of Black Hawk, county of Carroll.	361-63.
An act to increase the common school fund of the county of Tishomingo.	280.
An act to repeal an act entitled, "an act to amend 'an act to establish a system of common schools,' approved March 4, 1846," approved March 4, 1848, so far as same applies to the county of Adams, and for other purposes.	128.
An act to further endow the University of Mississippi.	127.
An act to amend an act to provide for and establish common schools in the counties of Hinds, Holmes, Tunica, Jefferson, Wilkinson, Lawrence, and Amite.	129.
An act to extend to the counties of Monroe and Rankin the provisions of an act entitled, "an act to repeal an act to establish a system of common schools, approved March 4, 1846, so far as the same relates to the counties of Noxubee, Lowndes, etc., approved March 4, 1848.	142.

	Reference
An act supplemental to an act to establish common schools in the county of Holmes.	156.
An act to establish a system of common schools and to regulate the leasing of school sections in Washington County.	149-53.
An act to amend an act to establish a system of common schools, approved March 4, 1846, so far as the same relates to the county of Simpson.	159.
An act to legalize all sales of sixteenth sections in Copiah, Sunflower, Coahoma, and Hancock counties.	243.
An act to repeal the fifth section of an act approved March 1, 1848, entitled, "an act requiring the treasurers of Pontotoc and Lafayette counties to lend the school fund of said counties.	272.
An act to incorporate the Salem High School Association, in the county of Greene.	452-53.
An act for the benefit of the Macon Female Institute, the Male Academy in the town of Macon, and for the promotion of education.	474-77.
An act to establish a system of schools in the county of Scott.	147-48.
An act to repeal an act entitled, "an act to establish a system of common schools, "approved March 4, 1846, so far as same applies to T. 17, R. 5, E. in Warren County.	149.
An act to return certain taxes illegally assessed on lands of Jefferson College.	193-94.
An act to incorporate Almucha Academy.	403-4
An act for the relief of Benjamin W. Leggett, and for other purposes. (Sixteenth section lease.)	479.
An act to incorporate Kemper College.	443-45.
An act to authorize the citizens of fractional T. 17, R. 19, in Lowndes County, to organize a board of trustees consisting of three members.	248.
An act concerning common schools in the county of Jefferson.	145.
An act to authorize the state commissioner to sell the lands belonging to the seminary, lying in the different counties in this state.	69
An act to authorize the trustees of T. 5, R. 5, E., in Rankin County, to make titles to the sixteenth section of said township.	257.
An act to legalize the sales of sixteenth sections in the county of Smith.	281.

	Reference
An act to amend an act for the relief of John Patterson. (Sixteenth section lease.)	490.
An act to amend the acts incorporating Louisville Academy.	272.
A resolution in relation to school lands.	512.
An act to promote common schools in the several counties of the state.	67.
An act supplemental to an act entitled, "an act to promote common schools in the several counties of the state," so far as relates to Lauderdale County.	142-43.
An act to repeal an act to establish a system of common schools, approved March 4, 1846, so far as the same relates to the county of Warren.	157-59.
An act for the relief of the Natchez Orphans' Asylum.	478.
A resolution in relation to the University of Mississippi.	516.

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An act to change the name of the Mississippi Academy and to authorize the institution to lend its funds at 10 per cent per annum.	32.
An act to incorporate the Euclid Male and Female Academy in the county of Tishomingo.	34-35.

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An act relative to the Liberty Male and Female Academy in Amite County.	472.
An act in relation to the sixteenth sections and common schools in Issaquena County.	476-82.
An act to amend the charter of the Lexington Male and Female Academy.	421.
An act to incorporate the Choctaw Collegiate Institute, and for other purposes.	221-23; 431-33.
An act to incorporate Wilmarth College at Natchez.	437-38.
An act for the relief of Fayette Academy in the county of Jefferson.	436.
An act to legalize the sale of the sixteenth sections in the counties of Newton and Wayne, and for other purposes.	443-44.
An act to legalize the leases of sixteenth sections in Simpson County.	455-56.
An act to incorporate Newton Institute.	458-59.
An act to amend an act to incorporate Pleasant Hill Male and Female Academy.	473.
An act to authorize the board of police of Yalobusha County to provide for the distribution of the common school funds, and for other purposes.	459-60.



	Reference
An act to establish a common school system in the town of Shieldsborough in the county of Hancock.	486-90.
An act to incorporate the Enon High School in the county of Perry.	411-13.
An act to incorporate the Yalobusha Baptist Female Institute.	407-8.
An act to authorize the trustees of schools and school lands in townships 9 and 10, R. 4, E., in the county of Madison, to appropriate the interest annually arising from the funds due said township to the erection of a college in the town of Sharon.	385-86.
An act to incorporate Mississippi Female College, in the town of Hernando, De Soto County.	413-14.
An act to incorporate the Cold Water Baptist Female Seminary in the town of Chulahoma, county of Marshall.	404.
An act to repeal an act supplemental to an act to promote common schools, so far as it relates to the county of Lauderdale.	402.
An act in regard to sixteenth sections in the county of Winston.	395-96.
An act to amend the several acts incorporating the Louisville Academy in Winston County.	397-98.
An act to amend an act to provide for the establishment of common schools in the counties of Hinds, etc., approved March 4, 1848, and an act to amend said act, approved March 4, 1850, and for other purposes, so far as the same relates to Wilkinson County.	399-400.
An act incorporating a board of trustees for the Collegiate High School of the Independent Order of Odd Fellows in Columbus.	375-76.
An act to amend an act for the benefit of Macon Female Institute and the Male Academy, etc., approved March 4, 1850.	375.
An act to amend an act entitled, "an act to amend the school law of March 4, 1846, so far as the same relates to the county of Choctaw," approved February 6, 1850.	376.
An act to incorporate Maple Spring Male Academy in Tippah County.	287-88.
An act to incorporate the Masonic and Odd Fellows High School at Bankston in the county of Choctaw.	290-92.
An act to extend certain portions of an act entitled, "an act to provide for the education of poor children in the county of Issaquena," approved February 26, 1850, to the county of Franklin.	393-94.

	Reference
An act to amend an act to further endow the University of Mississippi, approved March 5, 1850.	189-90.
An act to authorize certain boards of township trustees to make titles.	212-13.
An act to incorporate the Kosciusko Masonic Female College in the town of Kosciusko.	236-38.
An act to incorporate Bascom Female Seminary in the town of Grenada.	292-93.
An act to incorporate the Madison College in the town of Sharon, Madison County.	272-75.
An act supplemental to an act amendatory of an act entitled, "an act to reduce into one the several acts heretofore passed in relation to sixteenth sections and common schools, so far as relates to the county of Hinds."	339-41.
An act to regulate the granting of licenses to retailers of vinous and spirituous liquors in the county of Holmes.	230-32.
An act to legalize the sale of the sixteenth section of T. 5, R. 16 E. in the county of Kemper.	235.
An act in relation to schools in Yazoo County.	236.
An act supplemental to an act entitled, "an act to incorporate the Choctaw Collegiate Institute," approved January 27, 1852.	221-22.
An act to amend an act supplemental to an act entitled, "an act to establish a system of common schools," approved March 3, 1848.	190-91.
An act to incorporate the Mary Washington Female College, at or near Pontotoc, Mississippi.	149-53.
An act to amend an act entitled, "an act to establish a system of common schools in the county of Scott," approved March 5, 1850.	156.
An act to establish a system of common schools in the counties of Newton and Clarke.	318-19.
An act to legalize the lease of the sixteenth section in T. 6, R. 1, W. in the county of Hinds.	238.
An act to legalize the lease of a portion of the sixteenth section, T. 5, R. 1 E., in the county of Hinds.	286.
An act to incorporate Pleasant Ridge Male and Female Academy in Tippah County.	315-16.
An act to amend an act to establish a system of common schools, approved March 4, 1846, so far as they relate to the county of Franklin.	318-19.
An act to provide for the construction of a levee upon the Mississippi River, for the reclamation of state and school lands, and for other purposes.	41-49.

	Reference
An act supplementary to an act entitled, "an act to promote common schools in the several counties in this state," approved March 9, 1850.	146-48.
An act to extend certain portions of an act to provide for the education of poor children in the county of Issaquena, etc., to the county of Jefferson, and for other purposes.	325.
An act to incorporate the stockholders and trustees of the Middleton Female Seminary.	326-27.
An act to incorporate Greenwood Female Institute in the county of Jasper.	331-32.
An act supplemental to an act to establish an institution for the instruction of the blind, approved March 8, 1850.	92-93.
An act supplemental to an act entitled, "an act to provide for the leasing of the Chickasaw school lands," approved February 23, 1848.	244.
An act to provide for the management of schools and school funds in the county of Copiah.	313-15.
An act to incorporate the Southern Scientific Institute.	343-44.
An act to incorporate the Simpson Male and Female Seminary in Simpson County.	345.
An act in reference to the school fund in Madison County.	349-50.
An act to amend an act, approved February 27, 1833, in relation to trustees of school lands.	354-55.
An act in relation to the common school fund of Oktibeha County.	383-84.

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An act to amend an act entitled, "an act in regard to the sixteenth sections in the county of Winston," approved February 25, 1852.	152.
An act to incorporate the Presbyterian Female Collegiate Institute of Pontotoc.	139-40.
An act supplemental to an act to amend an act in relation to establishing a system of common schools in the counties of Newton and Clarke, in so far as relates to the latter.	165.
An act to secure the county of Calhoun its quota of the common school fund disbursed from the state treasury.	166-67.
An act to incorporate a literary institution near Jackson, in the county of Hinds, under the name of the College of St. Andrews.	26-27.
An act to authorize the inhabitants of fractional Township 19, S., R. 18, W., in the county of Lowndes, to sell and convey in fee simple the land heretofore selected, approved and reserved . . . . for the support of schools in said fractional township.	116-17.

	Reference
An act to amend the several acts of this state in relation to common schools, so far as relates to the county of Jasper.	194-97.
An act to legalize the lease of section 16, T. 15, R. 8, E. in the county of Attala.	88.
An act amendatory to an act entitled, "an act to establish a system of common schools," approved March 4, 1846.	59-60.
An act explanatory of an act supplementary to an act entitled, "an act to provide for the leasing of the Chickasaw school lands," approved March 16, 1852.	60-61.
An act to incorporate the Canton Female Institute in the town of Canton, Madison County.	90-91.
An act to amend an act to prescribe the mode of applying school funds in Tippah County, approved March 8, 1850, and for other purposes.	93-94.
An act for the benefit of the Natchez Orphan Asylum.	114.
An act to authorize any citizen of any township or fractional township in the county of Lowndes, where no trustees of schools or school funds have been elected, to proceed to the election of trustees for such township or fractional township.	181.
An act to incorporate the Crawfordsville Male and Female institutes in the county of Lowndes.	153-54.
An act to legalize the lease of section 16, in T. 15, R. 5, E. of the Columbus land district.	91-92.
An act for the benefit of the state university.	47-48.
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An act to amend an act entitled, "an act to provide for the management of schools and school funds in the county of Copiah," approved March 16, 1852.	392.
An act to authorize the school commissioners of Clarke County to make and execute a good and valid lease to M. J. Sumrall to certain lands therein named.	400.
An act to incorporate the Monroe Female Institute in the town of Aberdeen.	485-86.
An act for the benefit of sixteenth sections in the county of Noxubee.	446.
An act to incorporate the Port Gibson Collegiate Academy in the county of Claiborne.	418-19.
An act to incorporate the Good Hope Academy, in the county of Leake.	394.
An act to amend an act incorporating the Cold Water Baptist Female Seminary, approved February 20, 1852.	356.



	Reference
An act to amend an act entitled, "an act to reduce into one the several acts heretofore passed in relation to sixteenth sections and common schools, so far as relates to the county of Hinds, approved March 1, 1850.	385-86.
An act providing the manner in which teachers of common schools in the county of Copiah shall present their claims to school commissioners.	398.
An act to incorporate Friendship Academy in the county of Panola.	310.
An act to authorize and empower the board of police of Madison County to distribute the school fund.	349-50.
An act to repeal an act entitled, "an act to incorporate the Columbia Academy in the county of Marion."	313.
An act for the benefit of Mississippi College.	469-70.
An act to incorporate the St. Mary's Orphan Asylum, a charitable and educational institution, in the city of Natchez.	356-57.
An act to amend the charter of Jefferson College.	406.
An act further to amend the charter of Jefferson College.	389.
An act to amend an act entitled, "an act to incorporate the trustees of Zion Seminary," approved February 11, 1846.	208.
An act to incorporate the Hill City Collegiate Institute.	207.
An act to repeal an act providing for the application of the common school fund in Marion County, approved March 3, 1848.	368.
An act to establish a system of common schools in the county of Hancock.	416-18.
A resolution in relation to the superintendent of the blind asylum.	589-90.
An act to amend the common school law, so far as the same relates to the county of Pike.	361.
An act for the relief of Wilmarth Female College at Natchez.	318.
An act to repeal all laws exempting school trustees in the county of Claiborne from serving as jurors.	407.
An act to incorporate the Red Banks Female Seminary, and for other purposes.	253-54.
An act to incorporate the Central Mississippi Female College, in the town of Lexington, Holmes County.	289-91.
An act to authorize the board of school commissioners of the county of Lauderdale to sell the school lands in said county, and for other purposes.	456-57.

	Reference
An act to amend an act entitled, "an act to promote common schools in the several counties of this state," approved March 9, 1850, so far as the same relates to the county of Neshoba.	113-14.
An act to amend an act to establish a system of common schools in the counties of Newton and Clarke, approved March 10, 1852, so far as it relates to the county of Newton.	433-34.
An act to incorporate the Central Female Institute, at Clinton, Hinds County.	238-39.
An act to incorporate the Byhalia Female Institute.	251-52.
A resolution instructing the attorney general to demand of the trustees of Jefferson College the sum of money lent said college by the state.	586.
An act to amend an act entitled, "an act for the benefit of the state university," approved October 21, 1852.	195.
An act to create in the University of Mississippi a professorship of governmental science and law.	160.
An act to authorize the board of police of Scott County to apportion the school fund among the police districts thereof, and for other purposes.	458-60.
An act to amend an act to incorporate the Southern Scientific Institute.	257-58.
An act amendatory of an act entitled, "an act to incorporate Maple Springs Academy in Tippah County," approved February 28, 1852.	326-27.
An act to legalize the lease of section 16, T. 12, R. 5, E., in the county of Copiah, and for other purposes.	352-53.
An act to legalize the lease of section 16, T. 10, R. 21, W. in Simpson County.	382.
An act to provide for the erection of suitable buildings for the instruction of the deaf, dumb, and blind, and for other purposes.	95-97.
An act to authorize the institution for the blind to purchase a lot adjoining said institute.	135.
An act to establish a system of common schools in the county of Tishomingo, and for other purposes.	474-75.
An act to aid in the establishment of a school system in Franklin County.	527-32.
An act to incorporate Octograde Seminary in Yalobusha County.	337-38.
An act to amend the charter of Jefferson College.	361-62.
An act to authorize the printing of the first annual report of the agricultural and geological survey of the state.	148-50.

	Reference
An act to incorporate Newton College.	457-58.
An act to incorporate Westminster Academy in the county of Tippah.	429-30.
An act to prohibit the sale and distribution of vinous and spirituous liquors within four miles of Zion Seminary.	373.
An act to amend an act to incorporate the trustees of T. 10, R. 2, E., in Madison and Yazoo counties, approved February 24, 1842.	569-70.
An act supplemental to an act to provide for the leasing of the Chickasaw School Lands, approved February 23, 1848.	348-49.
An act to authorize the legal voters of T. 6, R. 2, W., to elect five trustees to take charge of the school fund belonging to said township.	260-61.
An act to incorporate the Union Seminary, in De Soto County.	428-29.
An act to incorporate the Union Female College of the Cumberland Presbyterian Church at Oxford.	371.
An act to incorporate the Coffeeville Female Institute.	206-7.
An act to repeal an act to prescribe the mode of applying the school funds of Tippah County, approved March 8, 1850, and for other purposes.	570-74.
An act to amend the several laws in relation to common schools, so far as relates to the county of Jones.	552-53.
An act to amend an act entitled, "an act to establish a common school system in the town of Shieldsborough," approved February 5, 1852.	324-25.

## 1856

An act to amend an act to incorporate the Presbyterian Female Collegiate Institute, of Pontotoc, approved October 14, 1852.	403-4.
An act to incorporate the Okolona Female Institute.	388-89.
An act in relation to the school fund of T. 13, R. 2, E. in Claiborne County.	323.
An act to unite fractional T. 9, R. 2, W., and T. 8, R. 2, W., in Adams County, into one school district.	374.
An act to amend an act entitled, "an act to amend an act to incorporate the Hernando Academy," etc., approved January 23, 1852.	424.
An act to incorporate the State Female College of Mississippi.	383-84.
An act to incorporate the Eastport Female Institute, county of Tishomingo.	210-11.

	Reference
An act to incorporate Calhoun Institute.	169.
An act to incorporate Byhalia Male Academy, Marshall County.	219-20.
An act to amend the common school laws so far as the same relate to Itawamba County.	128-29.
An act to legalize the acts of the board of trustees of the Sixteenth Section Fund of T. 13, R. 3, E. of Holmes County.	358-59.
An act to repeal an act in reference to common schools in T. 6, R. 2, W., in the county of Hinds, approved March 2, 1854.	367.
An act to amend an act to incorporate Newton College, approved March 1, 1854.	346-47.
An act to incorporate the Okolona Academy.	402.
An act to prescribe the mode of applying the school fund of Panola County.	360.
An act to incorporate the Mississippi Masonic Female College in the county of Claiborne.	355-56.
An act to amend an act incorporating the Yalobusha Baptist Female Institute.	420.
An act to incorporate the Amite Female Seminary in the town of Liberty.	317-18.
An act to amend the several laws in relation to common schools and school lands so far as the same relate to the county of Franklin.	325-28.
An act to amend the common school law so far as the same relates to the county of Pike, approved February 25, 1854.	406.
An act to legalize the sales of the sixteenth sections and parts of sections in Lauderdale County made in the year 1854.	430-31.
An act for the relief of the state university.	76.
An act to provide for the payment of interest on the Chickasaw School Fund, and for other purposes.	141-48.
An act to incorporate Canaan Male and Female Academy, in the county of Tippah.	403.
An act to amend the charter of Mississippi College.	209.
An act to change the time of electing trustees in Claiborne County.	93.
An act to repeal an act to incorporate the Grenada Male and Female academies.	174-76.
An act to incorporate the Oak Bowery Academy.	171.
An act to amend the laws now in force in relation to the entry and sale of the Chickasaw school and state lands.	223-24.



	Reference
An act entitled, "an act to amend the school laws so far as the same relate to the county of Marion."	379-80.
An act to establish a system of common schools in the county of Simpson.	109-15.
An act to secure the interest on the school funds belonging to the counties embraced in the Chickasaw cession, and for other purposes.	81-86.
An act for the benefit of the blind. (For Blind Institute.)	343.

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An act supplemental to an act to provide for the payment of interest on the Chickasaw School Funds, approved March 7, 1856.	100.
An act to amend the laws in relation to the University of Mississippi.	109-10.
An act to establish an institution for the instruction of the blind.	116-18.
An act to establish an institution for the deaf and dumb.	114-16.

## 1857

An act to revive certain laws in Leake County concerning common schools, and for other purposes.	129-30.
An act to distribute Harper's Report on the Geology of Mississippi.	142-43.
An act to amend an act entitled, "an act to reduce into one the several acts heretofore passed in relation to sixteenth sections and commons schools, so far as they relate to Hinds County, approved March 1, 1850.	141.
An act in relation to the school funds of the county of Neshoba.	150-52.
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